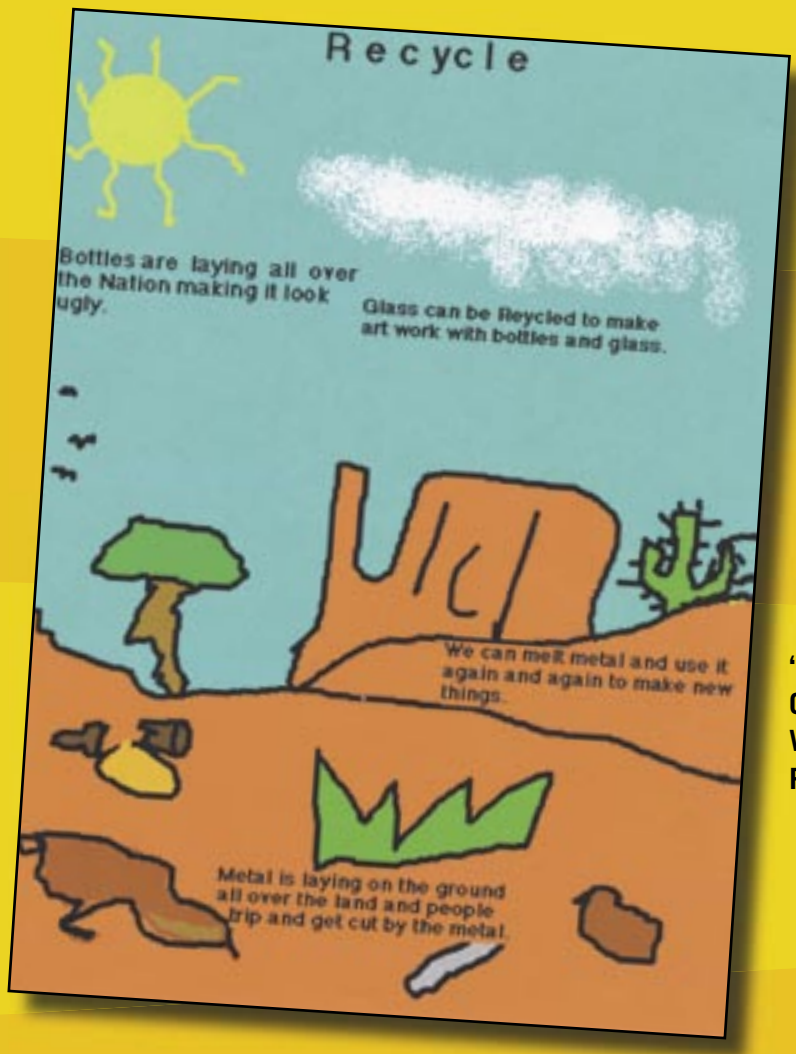
Ameraiah Joe, a 3rd grader in the Kayenta Unified School District, Kayenta, Arizona, received the First-Place Winner award and prize. Ameraiah's Kid's Page design, "I Live In A Good Home," displays incredible detail of the culture and lifeways in the Dine' community. Isiah Wauneka, a 7th grader at Tse Ho Tso Intermediate, Window Rock, Arizona, submitted his vision of pollution from glass and metal and the benefits of recycling, titled "Keep the Rez Clean." Isiah received the Second-Place Winner award and prize. All entries were judged by Karen Ware, NTEC Office Manager, and Jim Rivera, Institute of American Indian Arts Professor.

"I Live In A Good Home," Ameraiah Joe, First-Place Prize Winner



"Keep the Rez Clean," Isiah Wauneka, Second-Place Prize Winner

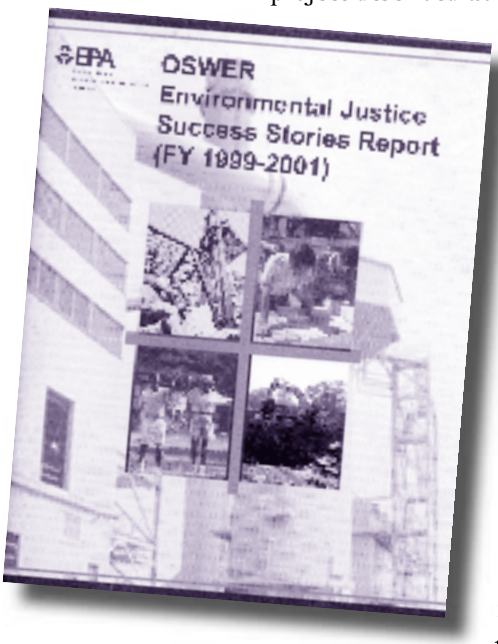
Tribal Success in OSWER Waste Programs

Office of Solid Waste and Emergency Response
Adapted from the Office of Solid Waste and Emergency Response *Environmental Justice Success Stories Report (FY 1999-2001)*

In September 2002, EPA's Office of Solid Waste and Emergency Response (OSWER) published the *Environmental Justice Success Stories Report (FY 1999-2001)*. This report summarized some of OSWER's efforts to incorporate environmental justice into its programs, including Brownfields Training and Revitalization; Superfund; Resource Conservation and Recovery Act (RCRA); Environmental Justice Awareness Training; and Community Involvement, Outreach, and Planning programs. The following paragraphs summarize some of the successes that Tribes have had in these programs.

In Region 8, the Turtle Mountain Band of Chippewa Indians in North Dakota initiated the San Haven Redevelopment Brownfields Project. Under the San Haven Redevelopment Project, the Tribe purchased the former State Mental Rehabilitation Hospital, located near the Reservation, in 1992. The State conducted initial remediation activities at the site, including the removal of asbestos contamination, underground storage tanks, and contaminated soil and water. In 1998, the Tribe evaluated the extent of contamination remaining at the site, under a Brownfields Site Assessment grant from EPA. During this same period, Turtle Mountain Community College received a Brownfields Job Training grant, the first to be awarded from EPA to a Tribe.

A contaminant survey was conducted at the site by the Bureau of Indian Affairs, which decided not to bring the property into the Tribal Trust until contamination issues at the site have been resolved. The project also became part of the ten-year strategic plan for Roulette County, a U.S. Department of Agriculture "Champion Community" and a U.S. Department of Commerce Underutilized Business Zone. Multiple options have been discussed for future uses of the site, including refurbishing building for use as Tribal youth rehabilitation centers, student training for salvage and resale operations, and the development of tours of teepee rings, a burial site, and the foundations of an old Scandinavian settlement village discovered at the site. The Tribal Brownfields Project Manager is currently researching and applying for additional sources of funding, including grants for cleanup and redevelopment activities from the Economic Development Administrations, the U.S. Department of Housing and Urban Development, and the U.S. Department of Health and Human Services' Administration for Native Americans.



Benefits of the San Haven Redevelopment Project include: reestablishing 600 acres; creating new and sustainable jobs for Tribal residents; addressing health and safety concerns related to contamination, vandalism, and structural issues at the site; providing an opportunity for the Tribe to share its cultural history and values with a much larger population; and establishing or improving partnerships with a number of local, regional, and federal agencies and organizations.

In addition to the Brownfields project described above, Tribal groups have conducted activities under Superfund, including the following:

- *Eastern Surplus Company Superfund Site: Cleanup and Cultural Resource Protection (Region 1)* – A major aspect in the cleanup of this site was the mitigation of impacts to cultural resources of the Passamaquoddy Indian Tribe more than 9,000 years old. EPA hired professional archaeologists to excavate a portion of the site and documents the cultural resources, funded a study of the artifacts by the Passamaquoddy Tribe, provided internships to Tribal members to participate in the Project, and agreed to develop outreach exhibits about the cleanup and cultural resources discovered at the site.
- *Superfund Cleanups Conducted in Massena, New York, with Tribal Assistance (Region 2)* – The Reynolds Metal Company and General Motors Superfund sites are located directly upstream from St. Regis Mohawk Tribal Lands. Representatives of the St. Regis

Mohawk Tribe's Environment Division were actively involved with the cleanup at both sites. Through a Support Agency Assistance Grant, the Tribe monitored the PRP's performance during each cleanup, joined with EPA inspectors on an inspection of dredging operations, using the Tribe's research and enforcement boat, performed a sampling and analysis program, and conducted community outreach.

- *All-Indian Pueblo Council's Pueblo Office of Environmental Protection Dip Vat Bioremediation Pilot Project (Region 6)* – EPA Region 6 has undertaken an initiative to enhance the role of states and Tribes in Superfund activities. As part of this initiative, EPA trained members of the Zuni Environmental Protection Office and the Acoma Environmental Office to bioremediate pesticide-contaminated sheep dipping vats. Those members can now use their training to bioremediate other contaminated sheep dipping vats on Pueblo land.
- *Dynamite Removal Near the Sisseton-Wahpeton Sioux Tribe's Village in Sisseton, South Dakota (Region 8)* – This site consists of 146 cases of dynamite and 40 cases of blasting caps buried in a field near the town of Agency Village, home to approximately 500 members of the Sisseton-Wahpeton Sioux Tribe. In 1999, EPA's Emergency Response Program directed the U.S. Army Corps of Engineers to evaluate the site. The Bureau of Indian Affairs interviewed witnesses, and brought in the U.S. Air Force Explosives Detection K-9 Unit, eventually finding three burial areas at the site. The disposal method selected for the site was in-place detonation. For safety reasons, it was decided that the entire town would be evacuated prior to detonation occurring. The Sisseton-Wahpeton Sioux Tribe was an active participant in meeting the challenges of temporarily housing 500 Tribal members.
- *Navajo Abandoned Uranium Mine Project, Water Data Outreach Effort (Region 9)* – In 2001, Tribal and federal representatives met with 30 different Navajo chapters to provide information on the more than 1,150 abandoned uranium mine sites found on the Navajo Nation and their potential impact on water quality. This outreach effort involved relaying information regarding a sampling program for non-regulated water sources to determine if they were detected by mining activities, and was conducted in both Navajo and English. The team presented information about how to reduce exposure to contaminated water and the abandoned uranium mine sites, including physical hazards and miner compensation claims.

EPA OSWER environmental justice activities also include projects conducted under the Resource Conservation and Recovery Act (RCRA) program. In Region 2, the St. Regis Mohawk Tribe used RCRA grant money to provide training for the Indian Nations of the Region in the initiation and improvement of solid waste management activities. Specialized workshops were developed as the result of a poll of the region's Indian Nations. Workshops were presented by national Tribal experts in the areas of composting, management and prevention of tire piles and open dumps, waste transfer stations, regulation writing, and program development and resources.

In Region 10, EPA has issued grants of up to $220,000 over the last five years to the Alaska Native Health Board. These grants are used to clean up open dumps containing shipping materials, lubricants, and paints and solvents from abandoned radar installations and small airports used during the cold war by the U.S. Department of Defense. The ANHB in turn provides smaller grants to the individual Alaska Tribal communities, to directly involve the communities in education, design, planning, and training to clean up the problem.

Also in Region 10, EPA and the Pt. Gamble S'Klallam Tribe conducted and participated in an arsenic metabolism study. The study was conducted as the result of contamination from the closed Kitsap County Landfill. In 1989, Tribal biologists discovered elevated levels of arsenic, cadmium, chromium, and vinyl chloride in an aquifer on the reservation, and discovered vinyl chloride in wetland on the reservation and in a fish-bearing stream near the reservation. Over a period of approximately ten years, investigations were conducted at the site by the Tribe, with assistance from EPA and the Bureau of Indian Affairs, and the Washington State Department of Ecology, with assistance from Parametrix, Inc. and Kitsap County. The metabolism study is being conducted as part of the investigation into risks at the site.

For more information on Brownfields programs, as well as RCRA, Superfund, Environmental Justice or Community Outreach, readers may visit www.epa.gov/oswer. Readers may also find contact information for the programs/success stories highlighted in this article by ordering copies of OSWER's Environmental Justice Success Stories Report (FY 1999-2001). Request copies by contacting Kent Benjamin, 202-566-0185, benjamin.kent@epa.gov.

Tribes and the Brownfields Law

**Office of Solid Waste and Emergency Response,
Office of Brownfields Cleanup and Revitalization
Rey Rivera**

In January 2002, President George W. Bush signed the Small Business Liability Relief and Brownfields Revitalization Act (SBLRBRA). The law expanded the Brownfields activities EPA can support and increased funding for grants and other programs. Specifically, the Act provides increased funding for assessments and cleanups, as well as enhances the roles of State and Tribal programs in brownfields management. The Act also provided targeted liability amendments to the Comprehensive Environmental Reclamation Compensation Liability Act (CERCLA). Application guidelines for these programs can be found at www.epa.gov/brownfields. The deadline for proposal submittals for fiscal year 2004 assessments, revolving loan fund, and cleanup grants was December 4, 2003. The deadline for proposal submittals for fiscal year 2004 job training grants was December 1, 2003. Note that the next cycle for requests of grant proposals is expected to be in the first quarter of fiscal year 2005.

For more information on the Brownfields Program, visit www.epa.gov/brownfields/ or call an EPA Brownfields Contact at 202-566-2777.

Examples of How Tribes Can Benefit From The Brownfields Law:

- Expanded definition of a Brownfields site may more closely describe the types of sites of concern in Indian country
- Potential to address hazardous substances and pollutants, including biohazards, may allow Tribes to address common problems, such as decaying school buildings with potential reuse
- Ability to address assessment and cleanup of contamination from petroleum products
- Ability to address assessment and clean up of mine-scarred lands
- Opportunity to establish and enhance Tribal response programs
- Opportunity for Tribes to create inventories of Brownfields sites
- New, more flexible authorities for funding Brownfields training, technical assistance, and research

Summary of The Brownfields Law:

- Brownfields Revitalization Funding (SBLRBRA - Subtile A)
- Provides legislative authority for a Brownfields Program, including grants for
  - assessment programs up to $350,000 per site
  - cleanup programs up to $350,000 per site (nonprofit organizations are eligible for direct cleanup grants)
- Streamlines requirements for the Brownfields cleanup revolving loan fund and makes funding available to governmental units, including Tribes
- Makes funds available for technical assistance, training, and research in amounts that do not exceed 15% of the funding appropriated for subtitle A.*
- State And Tribal Response Program (SBLRBRA - Subtitle C)
- Provides more certainty of liability relief when certain properties are cleaned up under State response programs
- Supports strong State and Tribal response programs and preserves Federal safety net
- Authorizes $50 million per year in funding to establish and enhance States and Tribal response programs
- Expands activities eligible for funding of State and Tribal programs

*Note that Alaskan Tribes, with the exception of the Metlakala are not eligible for Subtitle A funding.

A New Gateway to Science from EPA and American Indians

Office of Research and Development
Claudia Walters

Have you ever wondered what scientific information and tools are available to address environmental issues in Indian Country? Are you interested in knowing more about scientific projects being carried out by Tribes and EPA in your area? Would you like to learn more about traditional ecological knowledge? Do you have information on scientific activities related to Indian Country that you would like to share with others?

EPA worked with Tribal representatives to create a resource to help answer these questions, the "Science and American Indians" web site at www.epa.gov/osp/tribes.htm. The web site is a gateway to scientific information from both Tribes and EPA, including:

- Announcements for funding opportunities, events, and news articles;
- Scientific resources including observational and analytical data, agency hotlines, environmental projects across the country, technical and compliance assistance centers, major scientific initiatives, EPA laboratories, and training
- Information and Products relating to National EPA-Tribal Science Council activities.

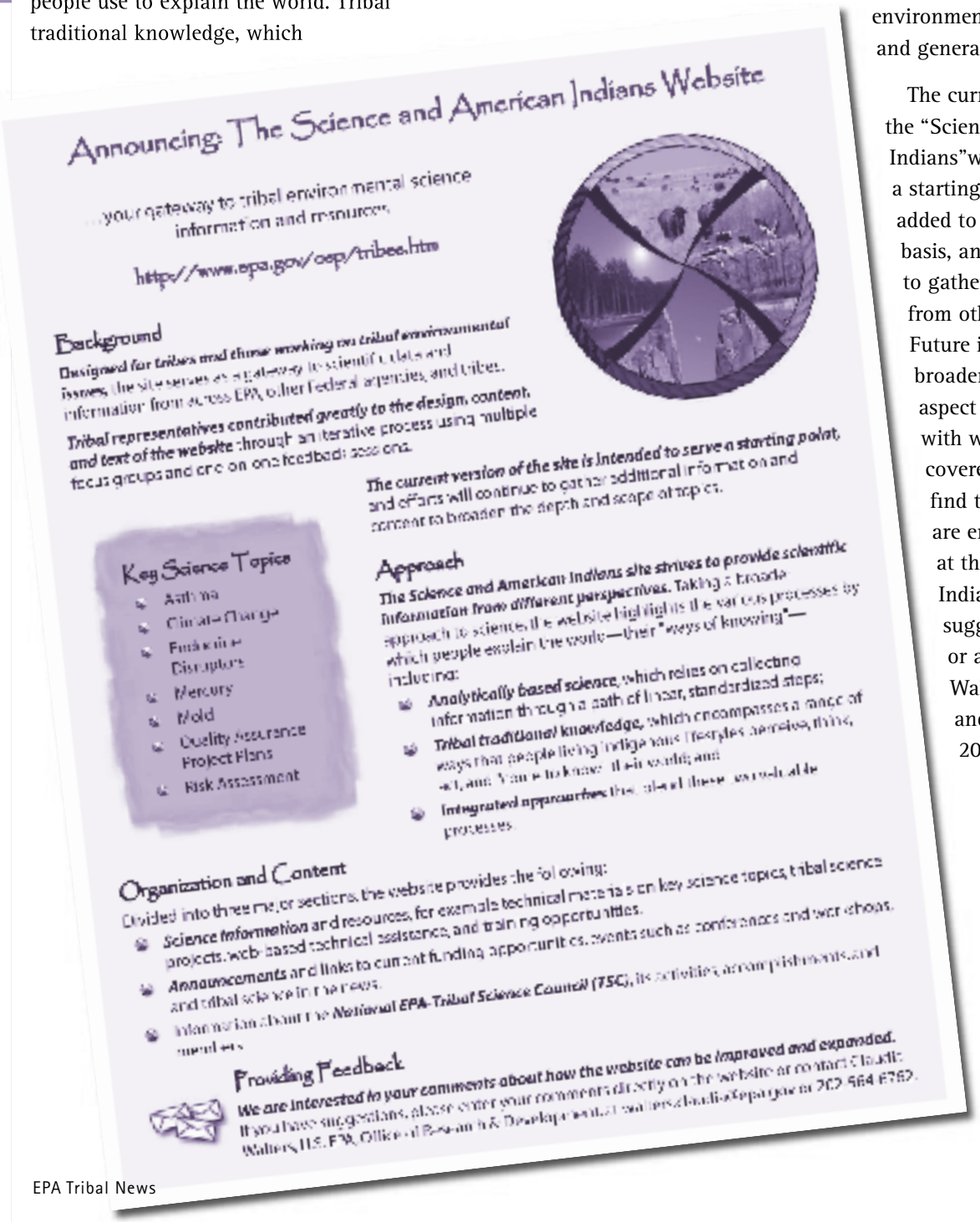
The site is intended to be used by a wide range of individuals, from those who have little scientific experience to those who are very knowledgeable and trained. In addition to providing scientific information from EPA and other Federal agencies, the "Science and American Indians" web site is designed to enhance the sharing of scientific knowledge and experiences from Tribes across Indian Country.

The "Science and American Indians" web site was created through an iterative process using multiple focus groups and one-on-one feedback sessions with Tribal representatives who contributed greatly to the design, content, and text. Key to the overall development of the site were Veronica O'Leary of the Cheyenne River Sioux Tribe and Barbara Gray of the Haudenosaunee Environmental Task Force. Ms. O'Leary was primarily responsible for developing the graphical design of the web site and, importantly, arranging and conducting usability tests with various Tribal representatives and groups, including Tribal members at EPA, Washington Internships for Native Students from across the country and Tribal representatives from the Navajo Nation, Cherokee Nation, and Tribal Association on Solid Waste and Emergency Response. Ms. Gray provided invaluable guidance on Tribes and traditional knowledge. She also reviewed draft components of the web site and offered input into the language used. In addition, she organized a test of the initial draft web site by Tribal elders, community members, and environmental professionals associated with Haudenosaunee Environmental Task Force, which provided critical feedback during site development.

Soliciting a wide range of input was important in the development process since the "Science and American Indians" web site strives to provide scientific information from different perspectives thereby highlighting the various processes by which we explain the world around us - representing our "Ways of Knowing." The site aims to demonstrate that analytically-based science, which relies on collecting information through a path of linear, standardized steps, is one approach people use to explain the world. Tribal traditional knowledge, which encompasses a range of ways that people living indigenous lifestyles perceive, think, act, and "come to know" their world, is another approach to solve environmental problems. Furthermore, scientists of all disciplines have begun to recognize the importance of integrating the information from the various scientific approaches. The "Science and American Indians" web site attempts to provide science information from these various approaches when addressing environmental concerns.

The "Science and American Indians" web site will be a component of the "Tribal Portal," which is still under development. The "Tribal Portal" will provide a single point of entry for Tribes to access environmental regulatory, policy and programmatic information and assistance. The "Science and American Indians" site will serve as the link to environmental science-related information. Until the "Tribal Portal" is operational, the AIEO web site (can be used to access information on EPA environmental policy, regulations, and general funding opportunities.

The current version of the "Science and American Indians"web site is intended to be a starting point. Content will be added to the site on an ongoing basis, and efforts will be made to gather additional information from other agencies and Tribes. Future iterations of the site will broaden both the educational aspect of the site and the depth with which particular topics are covered so that all users will find the site beneficial. You are encouraged to take a look at the "Science and American Indians"web site at and make suggestions for improvement or additions to Claudia Walters, Office of Research and Development, at or call 202-564-6762.


Announcing: The Science and American Indians Website

...your gateway to tribal environmental science information and resources.

http://www.epa.gov/oep/tribes.htm

Background

Designed for tribes and those working on tribal environmental issues, the site serves as a gateway to scientific data and information from across EPA, other Federal agencies, and tribes.

Tribal representatives contributed greatly to the design, content, and text of the website through an iterative process using multiple focus groups and one on one feedback sessions.

The current version of the site is intended to serve a starting point, and efforts will continue to gather additional information and content to broaden the depth and scope of topics.

Key Science Topics

- Asthma
- Climate Change
- Endocrine Disruptors
- Mercury
- Mold
- Quality Assurance Project Plans
- Risk Assessment

Approach

The Science and American Indians site strives to provide scientific information from different perspectives. Taking a broader approach to science, the website highlights the various processes by which people explain the world—their "ways of knowing"—including:

- Analytically based science, which relies on collecting information through a path of linear, standardized steps;
- Tribal traditional knowledge, which encompasses a range of ways that people living indigenous lifestyles perceive, think, act, and "come to know" their world; and
- Integrated approaches that blend these two valuable processes

Organization and Content

Divided into three major sections, the website provides the following:

- Science information and resources, for example technical materials on key science topics, tribal science projects, web-based technical assistance, and training opportunities.
- Announcements and links to current funding opportunities, events such as conferences and workshops, and tribal science in the news.
- Information about the National EPA-Tribal Science Council (TSC), its activities, accomplishments, and members.

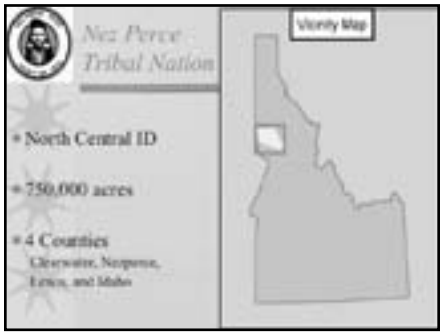
Providing Feedback

We are interested in your comments about how the website can be improved and expanded. If you have suggestions, please enter your comments directly on the website or contact Claudia Walters, U.S. EPA, Office of Research & Development, at walters.claudia@epa.gov or 202-564-6762.

EPA Science Forum, May 2003

Office of Research and Development

EPA's Office of Research held its annual Science Forum in Washington, DC May 5-8, 2003. The Science Forum featured a host of speakers, exhibits, panel discussions, and events. Several speakers from Tribal governments and organizations also participated, and summaries of their sessions are highlighted below.



EMAP Tribal Perspectives

The Environmental Monitoring and Assessment Program (EMAP) is an ongoing EPA project that supplies scientists and researchers with tools to better estimate regional, environmental indicators in order to assess environmental conditions.

Mr. Davis, Nez Perce Tribe scientist, described the goals of the Nez Perce Tribe and the role of Environmental Monitoring and Assessment Program EMAP in their local science objectives. Nez Perce is one of the first Tribes to adopt an EMAP approach with their own funds.

Nez Perce is located in north central Idaho and includes approximately 750,000 acres. The Tribe is split into four counties, including Clearwater, Nez Perce, Lewis, and Idaho. Approximately 30 percent of the reservation is Tribally-owned. The remainder of the reservation has been sold to industrial companies or other businesses. The Tribal reservation has diverse landscapes, and therefore, requires diverse approaches when managing their environment. Most of the reservation's land is used for cultural activities, agriculture, recreation, timber management, and live stock management.

Nez Perce gained interest in the EMAP project when Mr. Davis attended an EMAP training in June 2001. Mr. Davis encouraged the Tribe to fund its own EMAP program, and in 2002, Davis and other scientists started a training review of EMAP field sampling protocols. In 2003, the Tribe initiated it's sampling for EMAP data and will complete a final report of its findings and results in 2005.

The Nez Perce Tribe will use EMAP bioassessment applications to develop water quality standards and criteria, complete a 303d list of impaired areas based on the state of their aquatic community, and create total maximum daily loadings, among other project goals. EMAP will play a major role in assessing the current condition of streams within the reservation.

Tribal Partnerships in Pesticide Management to Protect Human Health

Ms. Ryan, Big Valley Rancheria, explained the traditions of the Big Valley Rancheria reservation and goals to improve their environment. The environmental goals of the Big Valley Rancheria are to gather information on possible health hazards and provide outreach to the community. In order to meet traditional and environmental goals, Big Valley Rancheria uses income from its Tribal-owned casino and also relies on grants from the U.S. Department of Housing and Urban Development, EPA, and U.S. Department of Interior.

Pesticide management and community recycling are priority goals. Hunting and gathering from the lands of Big Valley Rancheria is a long noted tradition of the community. Big Valley is a descendent of the Xa-ben-na-po Band of Indians, and Xa-ben-na-po is defined as hunters and gatherers. The Tribal members occupy 375 acres and are committed to protecting its lands. However, pesticides use in Lake County has resulted in diverse environmental and human health effects within their community.

Pesticides are used to protect pear, walnut, and apple trees, and wine grapes. There are residents that live as close as 60 ft-100ft to pear and wine grape orchards, respectively. Tribal schools are less than 40 feet from pear orchards, and residents along Soda Bay Road are less than 50 feet

from pear orchards. Elders also have documented pesticides use outside of their homes. These repeated exposures have resulted in asthma in five family members.

In 2001, Big Valley Rancheria completed a pesticides history investigation and report. In the report, Big Valley Rancheria focused on pesticides 2,4-D, paraquat, azinphos-methyl, chlorpyrifos, methyl bromide, and petroleum oils. Big Valley Rancheria also has investigated 2002 data on exposure drifts of pesticides, including chlorpyrifos (lorsban).

It is vital that Big Valley Rancheria address pesticides use and pesticides drift in the areas lying between Lake County and the reservation. Tribal members use plants as foods and medicines, baskets built with plants, plant products used for cooking utensils and ingredients, and even baby rattles. These uses of plants result in exposure to pesticides. Other Tribal environmental issues that remain include native plants, repatriation of items, fish warnings, mercury, and pesticide found in Clear Lake.

Establishing Self-Sufficiency in Alaska Native Communities to Minimize Exposure to Environmental Contaminants

Ms. June Gologergen-Martin, St. Lawrence Island, along with Tribal member Viola Waghiyi, explained the goals of the St. Lawrence Tribe and support from the Alaska Community Action on Toxics (ACAT) program. There exist 229 Tribes in Alaska, and St. Lawrence is a Tribal-owned island. St. Lawrence has worked to address issues of limited funding, information gathering of nature and extent data on island contaminants, the exclusion of their local input into decision-making efforts of surrounding areas, and contaminants resulting

from U.S. military sites. The island also recognizes trends in local and traditional knowledge and wisdom not being adequately integrated into younger generations. In order to address some of these challenges, members of the St. Lawrence island community work with ACAT. The initial support from ACAT resulted from a meeting with the former Annie Alowa with ACAT and the receipt of a grant to help the St. Lawrence community address the health issues prevalent on the island.

With help from ACAT, St. Lawrence partners with the communities of Gambell and Savoonga, Norton Sound Health Corporation, and State University of New York to achieve several environmental goals, including the following:

- Acquire more information about environmental health clinics
- Education and involvement of young people
- Develop Tribal abilities to interpret data
- Arrange for advance planning and create information management protocols.
- Develop strategies to increase funding allocated to the U.S. Department of Defense for clean-up statewide and nationally
- Develop strategic partnerships for policy advocacy needs
- Increase elder input.

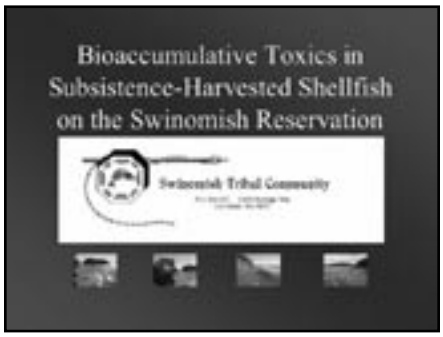
On a project-basis, St. Lawrence is working with other organizations to identify sources of contamination affecting the communities of Saint Lawrence Island, including the military sites and distant sources; determine health problems that may be linked to environmental contamination; and develop clean up protocols for contaminated sites. The Tribe also hopes to create a training program about prevention and treatment of environmental health problems and develop a model of communication that might be helpful for other Alaska Native communities in addressing environmental contamination.

To date, the Tribe established an advisory committee with representation from the Tribal government, city council, and village corporation of the Savoonga and Gambell communities; held leadership and community meetings in Gambell and Savoonga; completed portions of a pilot study to determine environmental exposures to contaminants, as well as other environmental studies; and held planning meetings with community leaders.

Bioaccumulative Toxics in Native American Shellfish

Mr. Campbell and Ms. Jamie Donatuto of the Swinomish Indian Tribal Community discussed their current project of studying bioaccumulative toxics in subsistence-harvested shellfish on the Swinomish reservation. Their current project is supported by EPA ORD grant. The Swinomish reservation is located 75

miles north of Seattle, Washington, and has 750 Tribal members currently living on the reservation. Their reservation covers approximately 7,400 acres, and 2,900 acres are Tribal-owned. Their reservation is unique in that 90 percent of their land is surrounded by water. Therefore, shellfish are vital to their community and is a subsistence food of the Swinomish Tribe. Shellfish are incorporated into the common diet and sold to produce funding for the Tribal families. The community has environmental and human health concerns because heavy metals, PCBs, lead, mercury, and dioxins and furans are common contaminants found in the nearby waters and in the shellfish.



In order to address these concerns, the Swinomish Tribe uses their grant funding to achieve the following goals:

- Determine whether Swinomish people who eat shellfish harvested from the reservation or other nearby areas are exposed to bioaccumulative toxics by testing sediment, clams, and crabs
- Effectively communicate those risks in a culturally appropriate manner
- Develop mitigation measures
- Confirm major health problems on the reservation that may be related to eating contaminated shellfish
- Develop hypotheses between the health problems and toxics found.

Testing of the shellfish, as well as land involves sample collections of sediment and clams and crabs (shellfish) and developing additional protocols to prevent further contamination. The reservation scientist will collect data to determine concentrations and other information on heavy metals, such as arsenic, copper, cadmium, selenium, mercury, lead, and nickel; PCBs; PAHs; dioxins/-furans; chlorinated pesticides; and butyltins. Sample sites were chosen based on historic and present frequencies of subsistence food gathering.

The reservation also is completing their Tox in a Box ambassador's guide that will educate school age children on toxics in the community and common health effects determined from their studies. Tribal members also participate in community gatherings where reservation scientist disseminates environmental and human health information. Finally, the Tribe provides public service announcements on the Swinomish cable channel to communicate findings and risks.

Integrated Monitoring and Assessment for Effective Water Quality Management Symposium

Office of Research and Development
Brian Melzian

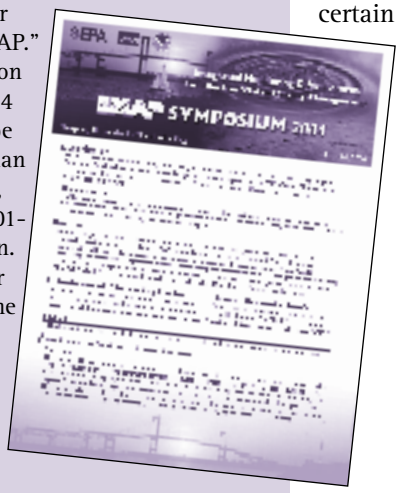
EPA's Environmental Monitoring and Assessment Program's (EMAP's) 2004 Symposium, titled "Integrated Monitoring and Assessment for Effective Water Quality Management" will be held in Newport, Rhode Island during May 3 - 7, 2004. EPA's Office of Research and Development (ORD), the Council of State Governments (CSG), and the National Oceanic and Atmospheric Administration (NOAA) jointly sponsor the symposium. During the symposium, experts will describe how advances in monitoring and assessment are targeted to meet emerging state and Tribal needs and illustrate examples of research and technology transfer that have led to more efficient, less expensive, and more scientifically rigorous monitoring and assessment programs.

Tribes are strongly encouraged to submit abstracts that relate directly or indirectly to one of the following symposium themes:

- Monitoring of Aquatic Resources
- Methods to Integrate Monitoring and Assessment for Clean Water Act Reporting
- Monitoring to Establish Aquatic Life Uses, Develop Criteria, and Evaluate Use Attainment.

Please note that the deadline for ABSTRACTS submission is January 30, 2004. The ABSTRACTS will then be reviewed for possible inclusion as a platform or poster presentation during the symposium.

Complete instructions for ABSTRACTS submissions, along with registration information for the symposium and hotels, are posted on the symposium web site at www.csg.org. Once entering the web site, readers must enter the keyword "EMAP." Further information on the EMAP 2004 Symposium can be obtained from Brian D. Melzian, Ph.D., EPA (NHEERL), 401-782-3188, melzian.brian@epa.gov or Amanda Mays, The Council of State Governments, 859-244-8236, amays@csg.org.



Fall 2004 EPA Minority Academic Institutions Undergraduate and Graduate Fellowships

Office of Research and Development
Stephanie Willett

EPA offers Minority Academic Institutions Undergraduate Fellowships for bachelor level students in environmentally-related fields of study. Subject to availability of funding, the Agency plans to award approximately 15 new fellowships by July 23, 2004. Eligible students will receive support for their junior and senior years of undergraduate study and for an internship at an EPA facility during the summer between their junior and senior years. The fellowship provides up to $17,000 per year of academic support and up to $7,500 of internship support for a three-month summer period.

EPA also offers Minority Academic Institutions Graduate Fellowships for master and doctoral level students in environmentally related fields of study. Subject to availability of funding, the Agency plans to award approximately 20 new fellowships by July 23, 2004. Master's level students may receive support for a maximum of two years. Doctoral students may be supported for a maximum of three years, with funding available, under certain circumstances, over a period of four years. The fellowship program provides up to $37,000 per year of support.

EPA Science to Achieve Results (STAR) Fellowship Program for Graduate Environmental Study

EPA, as part of its Science to Achieve Results (STAR) program, offers Graduate Fellowships for master's and doctoral level students in environmentally related fields of study. Subject to availability of funding, the Agency plans to award approximately 50 new fellowships by July 23, 2004. Master's level students may receive support for a maximum of two years. Doctoral students may be supported for a maximum of three years, with funding available, under certain circumstances, over a period of four years. The fellowship program provides up to $37,000 per year of support.

Statistics in EPA's STAR Program, Learning Materials for Surface Water Monitoring

Dr. N. Scott Urquhart, Colorado State University
Dr. Jim Moore, Office of Research and Development

Data occupies a central role in many of the actions taken by EPA and its affiliates in the Tribes and States. For data to provide suitable information for these actions, it needs to be appropriate for the situation. The scientific discipline of statistics focuses on gathering and analyzing data so that relevant questions may be answered in an unbiased way, including environmental questions. This article describes the development of some individualized materials designed to help water quality personnel in the Tribes and States to learn how to apply statistical sampling and analysis to their monitoring work.

EPA's Office of Research and Development (ORD) has conducted monitoring research through it's Environmental Monitoring and Assessment Program (EMAP) since 1989. In recent years, EMAP has focused on developing methods and approaches for aquatic resources. Statistics plays a substantial role in these methods especially for site selection and analysis. These new approaches are supported by the EPA's Office of Water. They are also being used by some States in meeting the reporting requirements of section 403(b) of the Clean Water Act. Several Tribes have begun using these methods to evaluate the status and trends in their aquatic resources, and at least one of EPA's regional offices is strongly encouraging Tribes in that Region to use these methods.

ORD sponsors extramural research under the auspices of the Science to Achieve Results (STAR) program in the National Center for Environmental Research. The statistical research conducted for the STAR program focuses on developing innovative methods that are important for protecting human health and the environment.

In 2000, STAR issued a Request for Applications (RFA) to develop two research programs on Statistical Survey Design and Analysis for Aquatic Resources. The RFA included the specific wording "Proposals should specifically address the extension of expertise on design and analysis to States and Tribes. Such a component should consider the level of statistical training that may be extant in State and Tribal environmental management and resource agencies. Research on and demonstration of distance learning concepts that allow individuals with basic statistics training to study and understand the concepts of design and analysis statistics are encouraged." The successful applicants, Colorado State University (CSU) and Oregon State University (OSU), submitted coordinated proposals that included a specific plan for responding to this requirement. The CSU program is called "Space-Time Aquatic Resources Modeling and Analysis Program" (STARMAP); the OSU program is called Designs and Models for Aquatic Resource Surveys"(DAMARS).

As part of these two research programs, learning materials are being developed to help educate people on how to use statistics in collecting and analyzing water quality data. This research on outreach investigates two concepts in knowledge transfer: method of delivery or presentation, and relevance of content. Usable learning materials must address both of these concepts. The requirement for distance learning in the RFA is satisfied by developing individualized materials usable at a remote site. Currently, most learners are familiar with web browsers and the Internet but Internet use has some substantial limitations for learning. STARMAP and DAMARS proposed, among other things, to develop, test and distribute learning materials on a CD ROM(s) that are based on web-browser technology and incorporate several types of actions that may be individually selected which are termed as individualizations. The approach does not use the Internet for several reasons:

- Learners can become very frustrated by download delays due to Internet traffic and/or slow connections to the Internet;
- Parts of the anticipated materials could be useful in remote field sites, especially for training, which precludes their availability on the Internet for the foreseeable future;
- Internet accessible materials need to be composed to accommodate all versions of major browsers, including legacy ones of much more limited capabilities than current ones;

- Some of the anticipated individualizations may be executed more simply and accurately in a controlled software environment than in a general one.

Using the Director's experience, discussions with staff in the regions who conduct monitoring, and a limited study of Tribal needs, researchers for STARMAP and DAMARS began to investigate possible content for these learning materials by relying on the Directors' experience in working with resource managers in the target organizations, with discussions and communications with EPA regional personnel that have monitoring responsibilities, and by conducting a limited study of Tribal needs by using Water Quality Technology, Inc. (WQYI). Steven Johnson of WQTI, works closely with about 15 western Tribes, mainly in EPA Region 9, on water quality issues, and prepared a personal interview form in collaboration with the Director of STARMAP. Because a high response rate was not expected for an impersonal mail form, Steven filled out the form during in conversations with Tribal water-quality personnel as a part of his regular visits. His report included these recommendations:

- Tribes need regulatory guidance to develop water quality monitoring plans in the form required for Section 305(b) reporting which is currently required for states only.
- Tribes voiced the need to have the monitoring and protection of cultural uses of waters addressed in instructional materials.
- Tribes voiced the need for temporal trend and water-quality database management software that is user friendly.
- Tribes voiced the need for geographical information system (GIS) training.
- Tribes voiced the need for educational materials on the appropriate use of statistics in aquatic water-quality monitoring assessments.
- Tribes voiced the need for a user-friendly statistical analysis program.

A copy of the WQTI report is available at:

http://www.stat.colostate.edu/starmap/wqti.final.report.pdf

A first draft of the learning environment has been developed in collaboration with CSU's Office of Instructional Services. This environment implements several forms of individualization, but it is incomplete at this time. However, this first test version has been designed to eventually support individualization for diversity in perspective - from the monitoring administrator, to field personnel and data analysts, geographic context of the learner - (many ecoregions), a dictionary detail, and even, if needed, different languages. If research with the intended user community reveals other needed features, flexibility for their incorporation will be included in the environment, and perhaps implemented in the test materials. The presentation environment identifies and presents information for learners based on choices they make. The environment also will assemble pdf files suitable for printing.

Two of six eventual learning units have been drafted by Gerald Scarzella, a graduate student in statistics at CSU and a Native Alaskan. A preliminary evaluation of both the learning environment and early materials was conducted and several state environmental agencies, a sub-state regional agency and two EPA regional offices attended. Several people from Tribal agencies were invited, but weren't able to attend. All of the evaluators were extremely supportive of the interactive environment and the draft content. They wrote pages of suggestions which are being studied for future changes in the learning environment. They volunteered potentially valuable material from their experience and identified an important new audience - river councils. The original plan for these new learning materials included a few case studies but the recent evaluation makes it clear that there should be perhaps 30case studies to illustrate a range of design and analysis topics.

As these new learning materials evolve, future evaluations will be conducted. Tribal input is critical if the materials are to be useful to Tribal water quality personnel and managers. We will seek Tribal volunteers to participate in future evaluations. Contact the STARMAP Director, Dr. N. Scott Urquhart at nsu@stat.colostate.edu if you have suggestions for content or delivery methods. For more general comments, contact starmap@stat.colostate.edu.

The research described in this article has been funded in part by cooperative agreements between the U. S. Environmental Protection Agency and the Department of Statistics at Colorado State University (CR-829095) and the Department of Statistics at Oregon State University (CR- 829096), under the auspice of ORD's STAR Program. Further information about this research is available on the web at http://oregonstate.edu/dept/statistics/epa_program/index.html.

Readers may also contact N. Scott Urquhart, PhD, Director STARMAP, Department of Statistics, Colorado State University, Fort Collins, CO 80523 or Jim Moore, PhD, Project Officer, U.S. EPA National Center for Environmental Research, 1200 Pennsylvania Ave., NW (MC8723R), Washington, DC 20460.

Makah and Shoalwater Bay Tribes Experience in EPA's National Coastal Assessment Training

David Lawes, Makah Tribe; Vince Cook, Shoalwater Bay Tribe; and Jim Harvey, Office of Research and Development

The Makah and Shoalwater Bay Tribes from the Pacific Northwest oversee and manage their natural resources like forestry and fisheries. Three Tribal environmental professionals from the Makah fisheries group and one from the Shoalwater Bay Tribe participated in EPA's National Coastal Assessment (NCA) training. After three intensive days of lecture and "hands-on" field training at EPA's Gulf Ecology Division, each participant received a certificate of completion of training and returned to their respective Tribe with the knowledge and ability to collect samples. The NCA Program employs a probabilistic design and a common, core set of survey indicators, refined after years of use and validation in EPA's Environmental Monitoring and Assessment Program (EMAP). These Tribal environmental professionals will also share their knowledge and experience with neighboring Tribes. Our three-year goal is to provide training for a geographically-distributed, critical mass of tribal environmental professionals who will, in turn, train all coastal Tribes.

David Lawes, Water Quality/Resource Specialist, from

The Makah Tribe said "We've wanted to develop a probability-based monitoring program and this is a big step in that direction. We're happy to have been able to participate." Contact: David Lawes or Vince Cooke at 360-645-3151 dlawes@centurytel.net and mtcedm@centurytel.net, respectively.

National EPA Tribal Science Council

Office of Research and Development
EPA Tribal Science Council
Chris Gannon, Confederated Tribes of Warm Springs Oregon
Dennis O'Connor, Office of Air and Radiation

First convened in December 2001, the National EPA-Tribal Science Council, commonly referred to as the Tribal Science Council or TSC, provides a forum for Tribal and EPA representatives to identify priority Tribal environmental science issues and collaboratively design effective solutions. Funded through EPA's Office of Research and Development, the TSC developed out of concerns over the appropriateness of EPA's science activities in a Tribal context, specifically, the appropriateness of science information gathered from Tribes, the validity of data collected about and through traditional methods, and the ability of EPA programs to incorporate the unique aspects of Tribal cultures into models and assessment tools.

Comprised of Tribal and EPA Regional and Headquarters representatives, the 28-member TSC includes a single Tribal representative from each of the nine EPA Regions with federally recognized Tribes as well as an additional Region 10 Tribal representative representing Alaska Native communities. The TSC also includes an EPA representative from each Program Office and one from each of the nine EPA Regions with federally recognized Tribes. Agency representatives are designated by Assistant Administrators from the respective EPA Program Offices and Regions. Tribal representatives are nominated by their Regional Tribal Operations Committees through the National Tribal Operations Committee.

The TSC represents a new paradigm for how EPA works with Tribal governments. The agenda of the TSC is driven by Tribal priority science issues. However, unlike other EPA Tribal groups that are advisory in nature, the TSC employs a collaborative approach, where Tribal and EPA representatives work together to determine the most appropriate mechanisms to address the science issues identified.

Currently, the TSC is focusing its efforts on Tribally relevant risk assessment and development of a health and well-being paradigm. EPA's current risk assessment methodology could be improved to take into account Tribal culture, values, and lifeways. The TSC is working to both examine ways to include specific Tribal cultural and lifeways concerns and practices into existing risk assessment model mechanics as well as to develop a paradigm that shifts the focus of risk assessment to community health and well-being. In support of this effort, the TSC has sponsored two workshops on risk assessment and Tribal health and well-being. The first, held in Albuquerque, New Mexico in February 2003, brought EPA staff and Tribal representatives together to gain a better understanding of the issue and better insights into the ways in which EPA and Tribes view the current risk assessment process. The second workshop was hosted by the Pyramid Lake Paiute Tribe in Reno Nevada in May 2003 and provided an opportunity for Tribal representatives to share stories about health and well-being topics and the use of traditional knowledge and science. A third TSC workshop to continue discussion of Tribally relevant risk assessment is planned for early in 2004.

In addition to these current activities, the TSC has focused its efforts on a number of additional priority science initiatives, which have included:

- Promoting technical assistance for Quality Assurance Project Plan (QAPP) development and implementation for Tribes through review of EPA's QAPP development training course; co-sponsorship, with EPA, of a course on QAPP development at the 2002 National Tribal Conference on Environmental Management; and coordination with EPA Region 9 to review and lend support to a QAPP development training CD for Tribes,
- Sponsoring the workshop on the current state-of-the-science of endocrine disruptor research in Washington, DC in September 2002 to provide Tribes information about EPA science and policy development regarding endocrine disruptor research and to provide a forum for Tribal representatives to discuss their concerns about endocrine disruptors resulting from a subsistence lifestyle,
- Sponsoring presentations, posters and booths on a range of science topics at the National Tribal Conference on Environmental Management in 2002 and the EPA Science Forum in 2002 and 2003,

- Compiling a list of Regional projects across the country brief descriptions of projects where Tribes and EPA are working to enhance or restore Tribal traditional lifeways,
- Examining EPA's Office of Pesticide Programs' Lifeline risk assessment project to ensure relevancy to Tribes.

The TSC will continue support of these science efforts. In addition, the TSC has identified a number of additional Tribal science issues that it will address in the coming years. The issues present a range of priority environmental science concerns and include:

- Supporting the release and implementation of EPA's dioxin reassessment and reference dose;
- Identifying ongoing work at EPA on chemical mixtures and cumulative impacts and promoting increased research in this area;
- Providing input into the Persistent Bioaccumulative Toxins Monitoring Workgroup aimed at reducing persistent organic pollutants;
- Increasing education about and cleanup of toxic mold in Tribal communities; promoting more research on the human environmental health impacts of pharmaceuticals in wastewater; and
- Increasing Tribal monitoring capacity to examine how accelerated climate change is affecting Tribal resources.

The TSC is continually seeking input on priority science issues that Tribes may be facing and related activities that are going on across EPA or in other federal agencies. If you are interested in keeping up with TSC activities or have issues that you wish to raise, please contact the TSC Co-chairs: TSC Tribal Co-Chair, Chris Gannon at (541) 553-2020 or cgannon@wsTribes.org and the TSC Agency Co-Chair, Dennis O'Connor at (202) 564-9486 or Oconnor.Dennis@epa.gov. Additional information on the TSC can be found on EPA's Tribal Science website at http://www.epa.gov/osp/Tribes.htm.

EPA Continues Work on Tribal Drinking Water Operator Certification Program Draft Guidelines

Office of Ground Water and Drinking Water

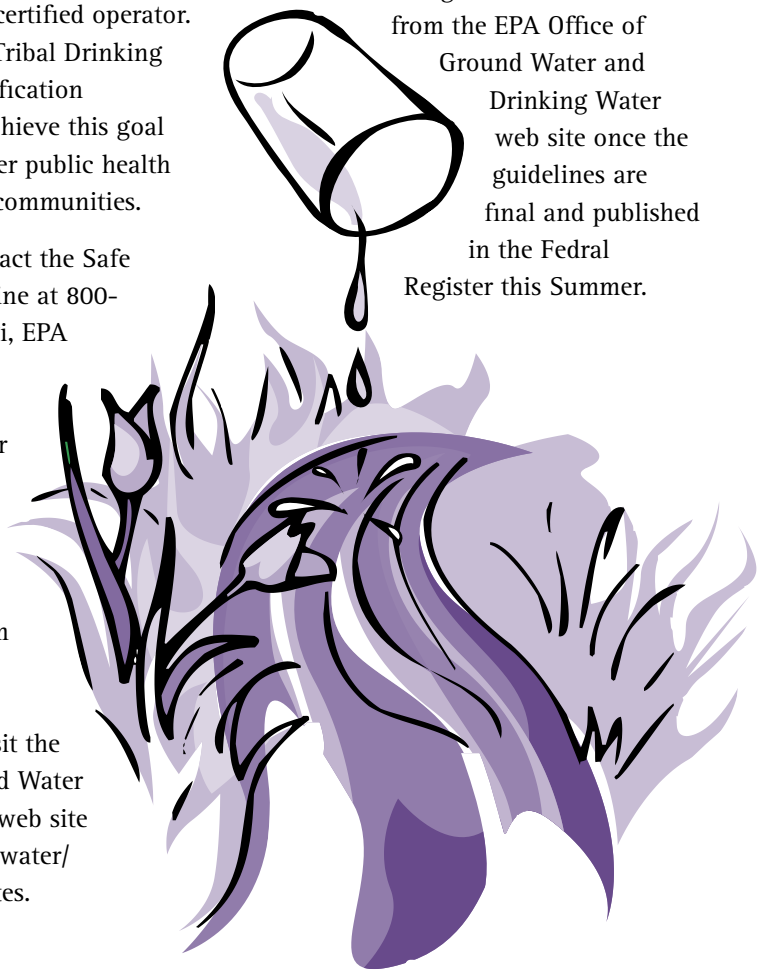
The Environmental Protection Agency continues to work on the Tribal Drinking Water Operator Certification Program Draft Guidelines. These guidelines, once finalized, will establish a program for drinking water system operators in Indian Country that is flexible, while providing meaningful public health protection in Indian Country. This voluntary program is intended to provide water system operators in Indian country with further training and certification opportunities in addition to the existing training or certification programs offered by states, various federal agencies, and private organizations. The guidelines will establish baseline standards that must be met for non-state organizations certifying operators of water systems in Indian Country to gain approval for their program from EPA. The guidelines also will include a consistent method of assessing, tracking, and addressing certification and training needs in Indian Country.

On March 30, 2000, EPA's Office of Ground Water and Drinking Water (OGWDW) published a first draft of these guidelines in the Federal Register and collected comments from stakeholders. The next step in this process is to publish a final draft of the guidelines within the Federal Register in February 2004 and solicit final comments from stakeholders. OGWDW then plans to publish the Final Guidelines in the Summer of 2004.

Although certification is voluntary, if a system is to receive grant funds under the Drinking Water Infrastructure Grant Tribal Set-Aside (DWIG TSA) program, operator certification is required in order to meet the "technical capacity" requirements for receiving funds. The DWIG TSA policy is available at www.epa.gov/safewater/tribes.html. Also, EPA identified a goal for operator certification in the 1998-2003 OGWDW Tribal Strategy "Protecting Public Health and Water Resources in Indian Country: A Strategy for EPA/Tribal Partnership." The goal states that by 2005, 80 percent of Tribal community and non-transient, non-community water systems will have a certified operator. Establishing a final Tribal Drinking Water Operator Certification Program will help achieve this goal while bringing greater public health protection to Tribal communities.

Readers may contact the Safe Drinking Water Hotline at 800-426-4791 or Jill Nogi, EPA Office of Water, at 202-564-1721 or nogi.jill@epa.gov for more information regarding the Tribal Drinking Water Operator Certification Program Draft Guidelines and associated updates. Readers also may visit the EPA Office of Ground Water and Drinking Water web site at www.epa.gov/safewater/Tribal.html for updates.

Finally, to help jump start the Tribal operator certification program, EPA is providing one-time grant funding for one or more nonprofit organizations, educational institutions, or public agencies. The grant funding will assist in developing a new (or amend an existing) certification program that meets the baseline standards of EPA's Tribal Drinking Water Operator Certification Program Final Guidelines, once published. EPA wants to ensure that all operators of water systems in Indian Country have access to training and certification programs that meet the particular needs of Indian communities. The Request for Applications from nonprofit and Tribal organizations, educational institutions, or public agencies interested in certifying operators of Tribal community and non-transient, non-community drinking water systems also may be obtained from the Safe Drinking Water Hotline or from the EPA Office of Ground Water and Drinking Water web site once the guidelines are final and published in the Fedral Register this Summer.



Tribal Water Quality Standards

Indian Tribes are developing water quality standards to protect reservation lands. Tribes like the Miccosukee in Florida, the Puyallup in Washington, and the Pueblo of Isleta in New Mexico have water quality standards that are consistent with the Clean Water Act.

Water quality standards are utilized to protect and improve water quality. Tribes may use them to define the use of a waterbody and address the amount of pollutants from sources like industrial facilities, wastewater treatment plants, and storm sewers that may be discharged into those waters. Water quality standards are defined by three criteria:

- The designated use or the description of the goal for the waterbody (such as fishing, swimming, cultural or traditional uses)
- Water quality criteria (limits on pollutants and conditions that will protect the designated use) Antidegradation policy governing changes in water quality.

Today, 23 Indian Tribes have water quality standards approved by EPA that protect water quality on reservation lands. A total of 22 Tribes developed their own water quality standards, and EPA promulgated water quality standards for the Confederated Tribes of the Colville Reservation in Washington. An Indian Tribe can obtain authorization to administer their water quality standards program by meeting certain criteria. You may contact EPA's Standards and Health Protection Division at 202-566-0400 to obtain specific information about authorization to administer a water quality standards program on reservation lands and the appropriate criteria.

In June 2003, EPA released a video, "Our Water, Our Future: Saving Our Tribal Life Force Together," that tells about the successful efforts of two Indian Tribes – the Pueblo of Acoma, New Mexico, and the Confederated Tribes of the Chehalis Reservation, Washington. These two Indian Tribes developed water quality standards for their reservations. They saw the quality of their water deteriorating and took positive steps to protect present and future generations by adopting their own water quality standards. EPA approved the Pueblo of Acoma's water quality standards in 2001, and the water quality standards for the Confederated Tribes of the Chehalis Reservation were approved in 1997. Readers may obtain the video by

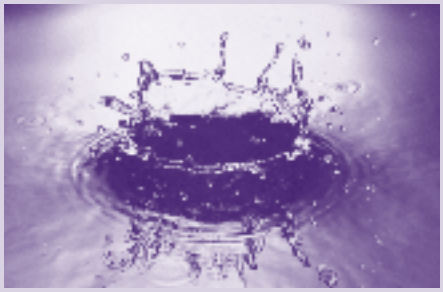
Tribal Nonpoint Source Program Grants and Training

Office of Water
Ed Drabkowski

Clean Water Act (CWA) section 319 Nonpoint Source (NPS) Program grants are available to federally recognized Tribes with approved NPS assessment reports and management plans, and status under section 518 of the CWA for establishing treatment in a similar manner as a state. To acquaint Tribes with the NPS program and its purpose as a tool to improve water quality in watersheds, the NPS Control Branch in the EPA provides training on developing Tribal NPS management programs. More than 1,000 Tribal representatives have participated in these training workshops to understand program requirements, how to apply for grants, and the best management practices available to reduce pollution along riparian areas and erosion from grazing and farming practices. Grant funding to Tribes with approved programs is approximately $6 million annually. To date, 75 individual Tribes are in the program, accounting for over 75% of land area in Indian country.

EPA Region 9 has the most participating Tribes in the section 319 NPS program. In FY 2003, Tribes in EPA Region 9 (which includes the states of AZ, CA, HI, NV) received $4 million for implementing on the ground improvement projects in priority watersheds. The Region produced a brochure to describe the successful projects being implemented by Tribes such as the removal of invasive species to improve infiltration, decommissioning abandoned forest roads to reduce erosion, constructing fences to control migrating animals from destroying vegetation, and building water troughs for watering cattle to prevent cattle from polluting area streams. EPA Regions 1, 2, 4, 6, 8, 9, and 10 also have Tribes participating in the NPS program.

For more information on section 319 NPS funding and training courses for Tribes, please contact Ed Drabkowski at 202-566-1198 or drabkowski.ed@epa.gov.



EPA's Office of Water also is considering a potential rulemaking that establishes federal standards for certain waters in Indian country where Tribal standards are not in-place. EPA's Office of Water has conducted outreach and discussion sessions with Tribes and others on a possible Advance Notice of Proposed Rulemaking (ANPRM). The ANPRM would discuss possible approaches for promulgating the Federal water quality standards, and EPA's Office of Water would initiate an open public comment period on the approaches. Should you require additional information, contact Ed Hanlon, EPA Standards and Health Protection Division, 202-566-0765, hanlon.edward@epa.gov

contacting Eleanor Jackson at 202-566-0052 or jackson.eleanor@epa.gov.

It is EPA's intent that Tribes have their own water quality standards. In support of this goal, EPA's Regional Water Quality Standards Coordinators work with Tribes to review and approve their water quality standards. You can learn more about Tribal-adopted and EPA-approved water quality standards by visiting the Agency's web site at www.epa.gov/waterscience/standards/wyslibrary/tribes.html.

You also may contact EPA's Standards and Health Protection Division at 202-566-0400 to obtain information about program authorization for the water quality standards program and to obtain the name and phone number of the appropriate Regional Water Quality Standards Coordinator in your area.

Tribal Water Quality Standards Approved by EPA (As of September 2003)

Pueblo of Isleta, New Mexico
Pueblo of Sandia, New Mexico
Pueblo of San Juan, New Mexico
Puyallup Tribe of the Puyallup Reservation, Washington
Pueblo of Santa Clara, New Mexico
Pueblo of Picuris, New Mexico
Pueblo of Nambe, New Mexico
Sokaogon Chippewa Community, Mole Lake Band, Wisconsin
Confederated Salish and Kootenai Tribes of the Flathead Reservation, Montana
Pueblo of Pojoaque, New Mexico
Confederated Tribes of the Chehalis Reservation, Washington
Pueblo of Tesuque, New Mexico
Seminole Tribe of Florida, Florida
Miccosukee Tribe of Indians, Florida
Assiniboine and Sioux Tribes of the Fort Peck Indian Reservation, Montana
Pueblo of Acoma, New Mexico
White Mountain Apache of the Fort Apache Reservation, Arizona
Confederated Tribes of the Warm Springs Reservation, Oregon
Confederated Tribes of the Umatilla Reservation, Oregon
Fond du Lac Band of Minnesota Chippewa Tribe, Minnesota
Hoopa Valley Tribe, California
Spokane Tribe of the Spokane Reservation, Washington
Confederated Tribes of the Colville Reservation, Washington

Rulemaking on Implementation of 8-Hour National Ambient Air Quality Standards for Ground-Level Ozone

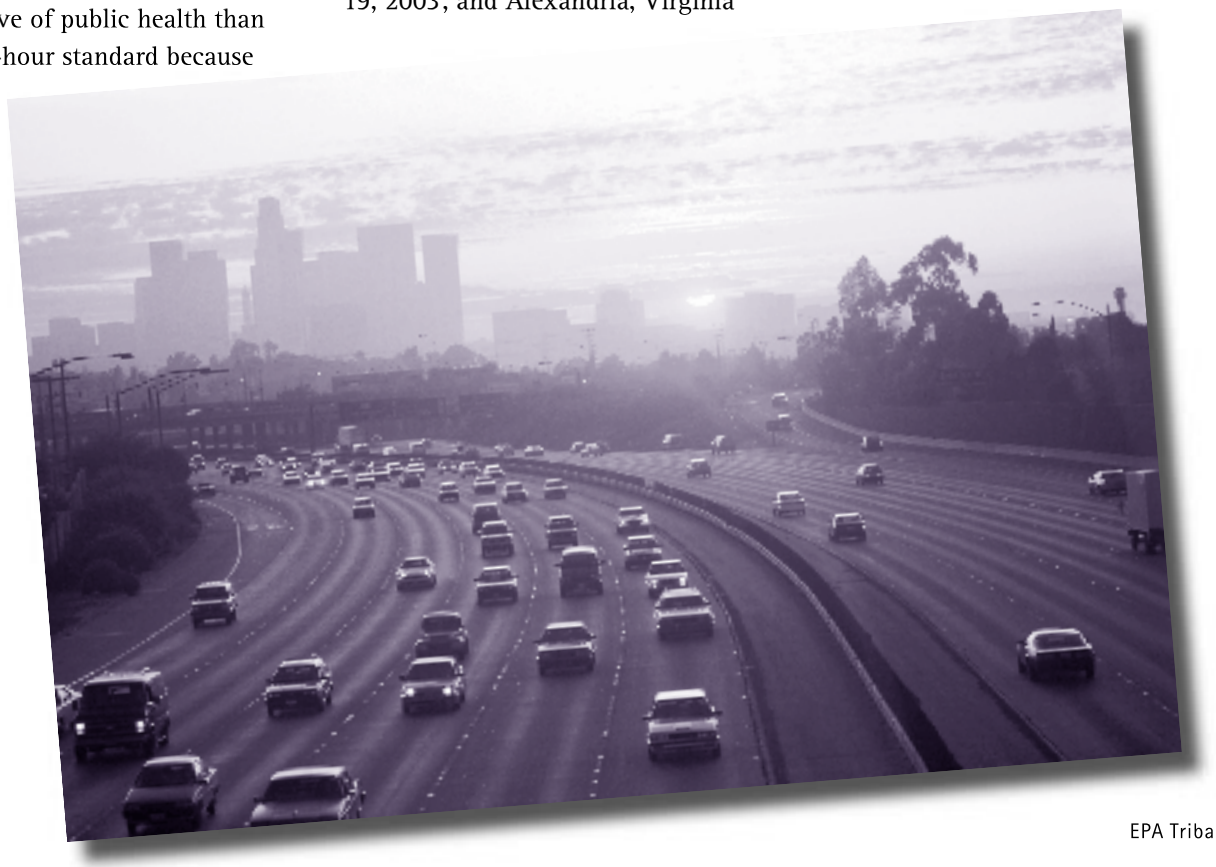
Adapted from EPA Office of Water Press Advisory, May 14, 2003

On June 2, 2003, EPA took an important step in protecting the American public from ground-level ozone pollution by proposing a rule that outlines steps certain polluted areas would have to take to clean up their air. The proposed rule would establish guidelines for State and Tribal authorities to implement the 8- hour national air quality standard for ozone, first enacted by EPA in 1997 and upheld by the U.S. Supreme Court in 2001. The proposal sought public comment on options for planning and control requirements for States and Tribes, as well as on options for making the transition from the 1-hour ozone standard to the 8-hour standard. The new 8-hour standard is more protective of public health than the current 1-hour standard because it more accurately reflects people's exposure to ground-level ozone.

The proposed rule describes options for classifying nonattainment areas; however, the proposal does not make any attainment designations. A nonattainment area violates the ozone standard and/or contains areas that contribute to violations of the standard in a nearby area. Designations for nonattainment areas will occur by April 15, 2004 under a separate process. EPA took comments on this proposed rule; the comment period ended August 1, 2003. The Agency also held three public hearings across the country on the proposed rule: Dallas, Texas on June 17, 2003; San Francisco, California on June 19, 2003; and Alexandria, Virginia on June 27, 2003. In addition, a Federal Register notice was published on August 6, 2003. Under a 30-day comment period EPA made available draft text that illustrates how one set of options, which were proposed on June 2, 2003, would be structured in regulatory language. Also, based on comments received on October 21, 2003, EPA reopened the comment period for 15 days on several alternative approaches to classifying nonattainment areas.

Due to the complexity of the rule, EPA plans to issue the final rulemaking in two phases. The first phase is expected to address the classification approach, the transition from the 1-hour to the 8-hour standard, and anti-backsliding provisions. This first phase is expected in late February 2004. The second phase rule would contain the remainder of the requirements and is expected around April 2004.

More information is available at www.epa.gov/ttn/naaqs/ozone/o3imp8hr.



An Update with Our Regions

Region 1

The Region 1 Tribal Program is a multi-media program headed by Jim Sappier, a former Penobscot Tribal Governor. In the Region 1 New England area, there are 9 federally recognized Tribes, and the Eastern Pequot Tribal Nation currently awaits federal recognition. The Region 1 Tribal Program maintains a web site, www.epa.gov/region01/govt/Tribes. Here users can obtain profiles or the New England Tribes, information on Tribal environmental programs and accomplishments, a map of the locations of New England's Tribes, an overview of EPA's Indian Program structure, a link to EPA's Indian Policy, contacts within the region, and the Region 1 Tribal Newsletter.

The Region 1 Tribal newsletter, *Region 1 Indian Program Newsletter,* is published twice per year and highlights recent regional, national, and international news; announcements; meetings; and workshops. The Region 1 Tribal Program supports its Tribes in several multimedia initiatives, and funding for the Regional Program has grown from $55,000 to $3 million.

Region 2

Within EPA Region 2, there are several Indian lands, including the following federally recognized Indian nations: Cayuga Nation, Oneida Indian Nation, Onondaga Nation,

St. Regis Mohawk Tribe, Seneca Nation of Indians, Tonawanda Band of Senecas, and Tuscarora Nation. These seven federally recognized Tribes are located in the external boundaries of New York State and are members of the Iroquois Confederacy.

The Region 2 Indian Program provides outreach to these federally recognized Indian nations and continues building an Indian nation environmental program that supports grant program and technical assistance to Indian nations. Grants under the General Assistance Program, as well as program specific grants, have supported development of environmental capabilities of the Indian nations. Also, Region 2 has a Regional Indian Program Coordinator, an Indigenous Environmental Affairs Specialist, and program staff and managers who carry out activities and outreach. Region 2's training program entitled "Training on Working Effectively with Indian Nations and Indigenous Peoples" provides Region 2 employees with the necessary knowledge and skills to assist them in working with Indian nations and indigenous people, while implementing the Agency's Indian Policy. The Region 2 Indian Program maintains a web site, www.epa.gov/Region2/nations/intro.htm.

Region 4

Region 4's Indian Program works to protect human health and the environment in Indian Country by promoting the comprehensive implementation of EPA's regulatory and voluntary programs in partnership with the federally recognized Tribes. Specifically, Region 4's Indian Program assists the Indian Tribes in the region to build environmental programs and compliance capabilities and capacity. Region 4's Indian Program provides Tribal governments with information, training, and grant funding and addresses Indian issues and the impact of Region 4 activities on Native Americans. Region 4's recent Tribal Environmental Accomplishments Report

depicts many accomplishments of the Tribal governments in the region as a result of Region 4 support, including water and sewer system improvements, newly opened recycling centers, increased environmental monitoring of all media types, and more vigorous enforcement of media programs. The Region 4 Indian Program maintains a web site, www.epa.gov/region4/ead/indian/index.htm.

Region 5

The Region 5 Indian Environmental Office (IEO) serves the needs of 35 federally recognized Indian Tribes through grants assistance and management, training and technical assistance, and coordination services with other programs. The mission for Region 5 is to provide leadership for protecting public health and the environment in Indian country, while respecting the sovereignty of each Tribe and recognizing Federal trust responsibility. The region's IEO was established in March 2000 to provide a "one-stop shop" for Tribal-related issues and was formed in response to expanding Tribal environmental needs and to fulfill the overall commitments to Indian Tribes found in the EPA Indian Policy. The office serves as a centralized point of contact for Tribal governments, inter-Tribal organizations, other federal agencies, and EPA staff on Tribal policies and activities. The office also serves as the first point of contact for Indian Tribes in Region 5 seeking federal environmental programs, as well as financial and technical assistance which relates to the development and delegation of Tribal environmental programs. The Region 5 IEO maintains a web site, www.epa.gov/Region5/Tribes/index.htm.

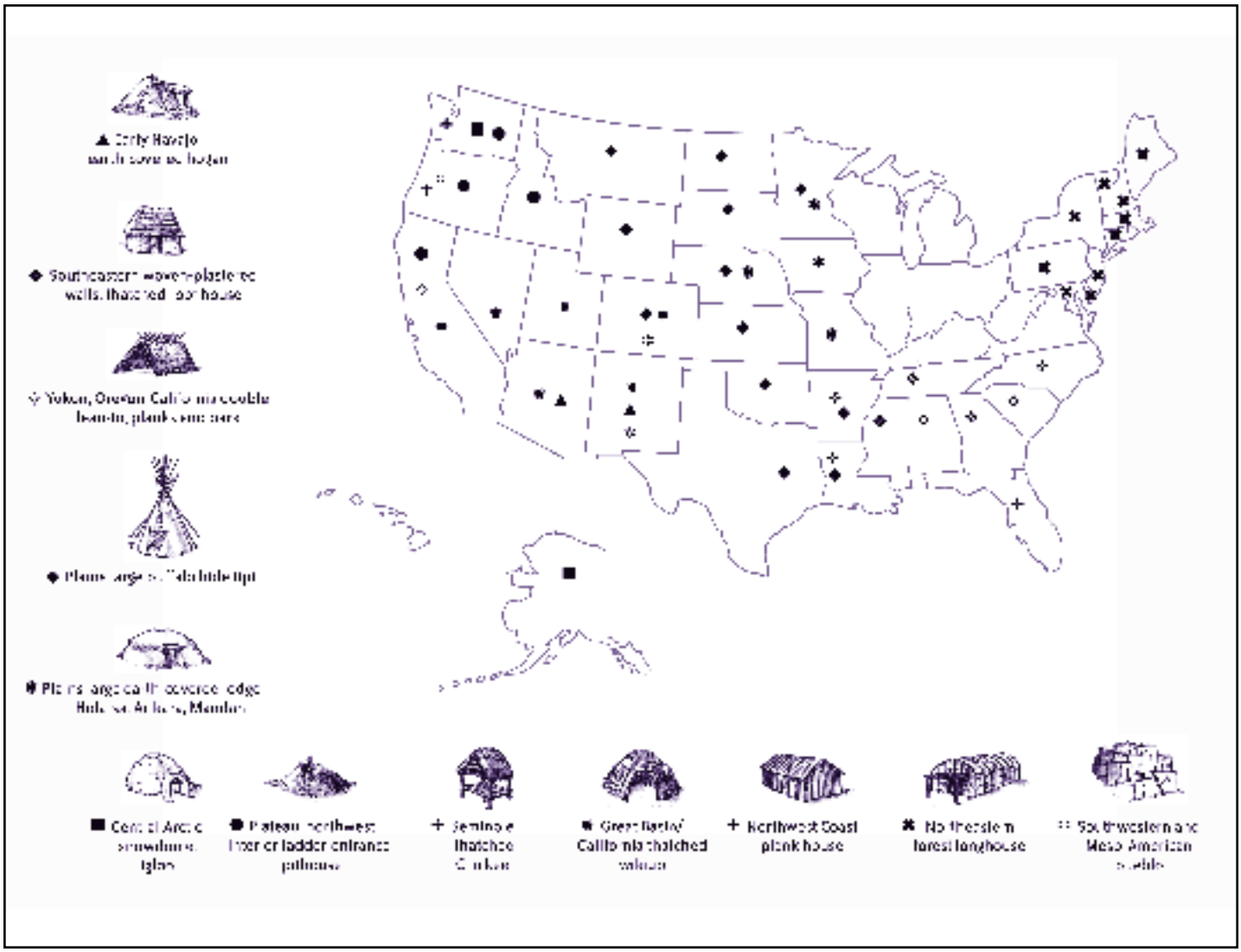
Region 6

EPA Region 6's Regional Native American Office is located in the region's Office of External Affairs and was created by the EPA Regional Administrator in late 1996. The goal of the Regional Native American Office is to support Tribal self-government, uphold federal trust responsibilities, and firmly establishing a government-to-government relationship between the Tribes and the EPA regional office. Region 6's Regional Native American Office is committed to an intra-agency and inter-agency Tribal advocacy approach to environmental issues facing Tribal lands within Region 6. In order to create and sustain this goal, Region 6 utilizes communication, coordination, advocacy, strategic planning and budgeting, policy, liaisons, training, and grants communications. Region 6 aims to provide general, technical, financial, and administrative support to the Tribes, while coordinating with the Region's other media offices to ensure technical assistance and training is provided to Tribal governments and its employees.

The Region 6 Regional Native American Office maintains a web site, www.epa.gov/region6/6xa/Tribal.htm.

Region 7

Region 7 maintains a Tribal Air Program, as well as a solid waste program that assists Tribes. The air program in EPA Region 7 works with nine Tribes in their efforts to protect their air quality. All the Tribes in the region are fairly small and range from about 30 to 5,200 resident Tribal members. The Region 7 air program assists Tribes in their efforts to address air quality concerns relating



The graphic above displays traditional Indian housing units noted throughout U.S. states and EPA Region. These dwellings represent cultural, subsistence living of Tribes in varied states and EPA Regions. Note that this graphic does not display the current living conditions of all Native Americans, as many occupy non-traditional homes.

to particulates, diesel trucks and train engines, road dust emissions from upwind power plants and releases from chemical plants. The major sources of these air pollution concerns in Indian country include utilities, small manufacturing companies, and sand and gravel operations, as well as service stations and automobile emissions.

The Region 7 air program follows its Tribal Authority Rule, which was authorized in 1990, to grant authority to Tribes to conduct Clean Air Act (CAA) Programs on their land and set forth provisions for which Tribes can become eligible to implement federally enforceable CAA programs. Region 7 maintains a web site, www.epa.gov/Region7/government_Tribal/index.htm, with links to its Tribal Air Program, as well as information on solid waste programs for Tribes.

Region 8

EPA Region 8 includes 27 federally recognized Tribal governments, and the mission of the EPA Region 8 Tribal Assistance Program is to provide leadership in protecting public health and the environment within these areas of Indian Country; respecting the sovereignty of each Tribe, as well as recognize federal trust responsibilities. The EPA Region 8 Policy for Environmental Protection in Indian Country was signed by the Regional Administrator on March 14, 1996. This policy supports work with Tribal governments on a government-to-government basis, Tribal self-governance, protection of human health and environment in Indian country; Tribal government agreement before decision making, assistance to Tribal governments in building Tribal capacity, cooperation between Tribal and State governments, cooperative partnerships with other federal agencies, and public participation.

The Region 8 Tribal Assistance Program maintains a web site, www.epa.gov/region8/Tribes/.

Region 9

Through collaborative efforts across all program offices, EPA Region 9 supports the 1984 Indian Policy, with the goal of protecting and enhancing ecosystems, human health, and cultural resources in Indian Country. Region 9 ensures that its trust responsibility to federally recognized Tribes is carried out and encourages a government-to-government relationship. Region 9 envisions a partnership and an environmental presence with every federally recognized Tribe. EPA Region 9 is committed to helping build Tribal capacity to manage Indian Country environmental programs and to ensure that Tribes have a voice in decisions that affect their land, air, and water resources.

The Region 9 Indian Programs Office publishes a monthly newsletter that is circulated among the Tribes within EPA Region 9. The newsletter contains the latest information concerning Tribal meetings, conferences, environmental training programs, grant and loan information, deadline dates, and contacts for further questions. The Region 9 Indians Program Office maintains a web site, www.epa.gov/Region9/cross_pr/indian/index.html.

Region 10

EPA Region 10 is committed to protecting human health and the environment throughout the Region, including the lands and resources of Indian Tribes, while supporting Tribal self-government, fulfilling the federal trust responsibility, and strengthening the government-to-government relationship between the Tribes of Region 10 and EPA. The mission of the Region 10 Tribal Program is to protect and restore the lands and environmental resources of Indian Tribes in the Pacific Northwest and Alaska for present and future generations. The goals of the Region 10 Tribal Program are to fully meet our responsibility for government-to-government relations with Tribes in all aspects of the Region's work; accomplish all direct implementation responsibilities; provide full program delegation and capacity building opportunities for Tribes; increase permanent resource commitments for Tribal workload and strategy implementation; and ensure Region 10 resources are used as efficiently as possible.

The Region 10 Tribal Program maintains a web site, http://yosemite.epa.gov/r10/Tribal.NSF.

A Look at the EPA Region 1 Tribal Program

EPA Region 1's Tribal Program is a multi-media program headed by Jim Sappier, a former Penobscot Tribal Governor. Valerie Bataille-Ferry a former Tribal employee, with close connections to New England's federally recognized Tribes is the Senior Regional Indian Program Specialist. Jean Crocker is the Regional Indian Program Specialist with over 20 years of grants experience. The Program also receives SEE support as well as part time legal, grants and clerical support. Nine Region 1 staff serve as Tribal Coordinators.

The following federally recognized Tribes within Region 1 are:

- Narragansett Indian Tribe
- Houlton Band of Maliseet Indians
- Passamaquoddy Tribe Indian Township
- Passamaquoddy Tribe Pleasant Point
- Penobscot Indian Nation
- Wampanoag Tribe of Gay Head (Aquinnah)
- Mashantucket Pequot Tribal Nation
- Aroostook Band of Micmacs
- Mohegan Tribe
- Eastern Pequot Tribal Nation*

*Federal recognition pending Indian Program Structure

Structure of National and Regional Indian Programs

The Region 1 Indian Program is physically located within the Office of Ecosystems Protection (OEP), with the Office of State and Tribal Grants having administrative and management responsibilities within the EPA internal structure. The Indian Program has a direct line to the Regional Administrator and the American Indian Environmental Office. The decision to be placed within this system came from the Leadership Team as advised by the Regional Tribal Operations Committee.

The Indian Program is called on from time to time to represent the programs view at the Office Director's meetings, on an on-call basis regarding subject-matters affecting Tribes.

Besides the staff of the Regional Indian Program, there are nine EPA Tribal Coordinators, the Regional Indian Work Group and the technicians and media program representatives who support the priorities of the Tribal program in accordance with the EPA Indian Policy.

Regional Programs and Operations:

Structure: Federally-recognized Tribes reside in nine of the Agency's ten regions (Region 3 is the exception). Each of these nine regions has appointed a Regional Indian Coordinator, and some of the regions have established an Indian program office. Most of the regions have a Regional Indian Work Group that acts as a regional counterpart to the National Indian Work Group. Some regions have field staff to work directly with the Tribes in their development and implementation of environmental programs. These field staff are sometimes referred to as Indian Environmental Liaisons or Circuit Riders, depending on the region. Most of the regions have also established a regional counterpart to the Tribal Operations Committee. Some regions have a formal Regional Tribal Operations Committee (RTOC) comprised of Tribes residing within that region, while others have instituted regular meetings between Tribal leaders and the region's senior management. Some regions have both an RTOC and regular all-Tribes meetings.

Purpose: Regional programs and related operations are responsible for day-to-day interaction with Tribes and "on-the-ground" implementation of EPA's Tribal programs based on regional priorities. They are responsible for meeting with and providing support to Tribes within their regions, getting Tribal input on issues that impact them, and communicating these needs and concerns to EPA Headquarters staff.

National Indian Program Structure:

The structure of EPA's Indian Program involves a variety of individuals and organizations throughout EPA Headquarters and Regions. Each of these individuals and organizations is dedicated to protecting human health and Tribal environments, in a manner consistent with EPA's trust responsibility to federally recognized Tribes, the government-to-government relationship, and the preservation of cultural uses of natural resources. The paragraphs below describe the various organizations and functions for which they are responsible.

American Indian Environmental Office (AIEO)

The American Indian Environmental Office, working with its regional components, is responsible for leading and coordinating the Agency-wide effort to strengthen public health and environmental protection in Indian country. AIEO oversees development and implementation of the Agency's Indian policy and the Indian Program Strategic Plan. The office strives to ensure that all EPA Headquarters and regional offices implement their parts of the

Agency's Indian Program in a manner consistent with EPA's trust responsibility regarding protection of Tribal health and environment, administration policy to work with Tribes on a government-to-government basis, and support of Tribal self-governance. The Office advises the Administrator and headquarters offices as well as assisting and maintaining the TOC.

Tribal Operations Committee (TOC)

Structure: The Agency established the Tribal Operations Committee (TOC) in February 1994. The TOC comprises 19 Tribal leaders or their environmental program managers (the Tribal caucus) and EPA's Senior Leadership Team, including the Administrator, the Deputy Administrator, and the Assistant and Regional Administrators. The TOC meets on a regular basis to discuss implementation of environmental protection programs in Indian Country. The TOC and EPA work closely to develop EPA's budget and resource allocations to meet the needs of environmental protection throughout Indian Country.

Purpose: The overall purpose of the TOC is to improve communications and build stronger partnerships with all Tribes. The TOC provides the Agency with valuable input on EPA Indian Policies and various aspects of the Indian Program. Although the TOC is an important and effective vehicle for enhancing communications between EPA and the Tribes, it is not a substitute for Agency consultation with individual Tribes in accordance with the Administration policy of working with Indian Tribes on a government-to-government basis.

National Indian Work Group (NIWG)

Structure: The NIWG is chaired by the Director of the American Indian Environmental Office and is composed of representatives from regional and program offices, generally the Indian Coordinator. NIWG holds regular biweekly conference calls and usually meets at least once each year.

Purpose: The role of the National Indian Work Group (NIWG) was initially defined in the 1984 Indian Policy Implementation Guidance. NIWG was established to facilitate and coordinate efforts to identify and resolve policy and programmatic barriers to working directly with Indian Tribes; implement comprehensive Tribal environmental programs; identify priority Tribal projects; perform other services in support of the Agency managers in implementing the Indian policy; and report progress related to these activities.

National Indian Law Work Group (NILWG)

Structure: The National Indian Law Work Group is composed of lawyers from EPA's regional counsel and program offices, the Office of General Counsel, the Office of Enforcement and Compliance Assurance, and from the Department of Justice who work on federal Indian law issues. The group also includes policy staff from AIEO and other EPA offices. NILWG meets once a month via teleconference to discuss pressing or nationally-significant Indian law issues related to environmental protection and to exchange information on common issues and problems. Also, NILWG usually meets face-to-face once each year.

Purpose: The NILWG is the counterpart to the National Indian Work Group. It addresses legal issues that arise in the course of developing and implementing the Agency's Indian Program. It plays an active role in eliminating the legal and regulatory barriers to implementing environmental programs in Indian country.

American Indian Advisory Council (AIAC)

Structure: The American Indian Advisory Council (AIAC) is a Special Emphasis Program Council organized under the Office of Civil Rights. Membership is open to all employees of EPA. National conference calls take place on a monthly basis.

Purpose: The central purpose of AIAC is to serve as an advisory group to the Administrator of EPA to recommend actions that address concerns of American Indians in the EPA workforce and of the Indian Tribes.

National Environmental Justice Advisory Council Indigenous Peoples Subcommittee (NEJAC)

Structure: The National Environmental Justice Advisory Council (NEJAC) was charted as a Federal Advisory Committee in 1993. The Council has 25 representatives from key environmental justice constituencies, including community-based groups, business and industry, academic and educational institutions, Tribal governments, State and local governments, and non-governmental organizations. The Council has six subcommittees, one of which is the Indigenous Peoples Subcommittee. This Subcommittee has eight members with a diversity of backgrounds, such as Tribal government, indigenous grassroots groups and environmental organizations, Tribal business and industry, academia, and State government.

Purpose: This Subcommittee is primarily focused on reviewing Agency actions to address environmental justice and developing recommendations for bringing about environmental justice in Indian country.

TRIBAL SCIENCE COUNCIL (TSC)

The mission of the Tribal Science Council is to provide a forum for interaction with Tribes and Agency representatives of mutual benefit and responsibility to work collaboratively on environmental scientific issues, addressing a wide range of scientific issues including research, monitoring, modeling, information, technology, and training in Indian Country. To support the subsistence, cultural, and ceremonial lifestyles of Indians and the safe use and availability of a healthy environment for present and future generations, the TSC is committed to development of sound holistic, integrated and cross-media scientific approaches. The relationship between the Tribes and EPA in the TSC will not substitute for but rather augment the government-to-government relationship. TSC is composed of representatives from ORD, AIEO, OAR, OSWER, OPPTS, OW, OPEI and Regional Scientists, and TOC members.

LEAD REGION-INDIAN PROGRAM

The purpose of the Lead Region System is to ensure that the Agency makes quality decisions by providing the Regions with a formal opportunity to participate in the decision-making process.

Goals as Lead Region:

- to impact Headquarters, Offices, Decision-making Processes,
- to build regional consensus views and represent majority and minority positions on significant policy, program or administrative activities,
- to balance national consistency and regional flexibility, and,
- to enhance effective communications between the Regional and HQ offices and within the Regional Offices (ROs) and HQs for all activities.

Each RO and HQs Program Office has a role in improving the quality of EPA's decisions. It requires each participant to look beyond their individual responsibilities and to take actions that result in environmental benefits. HQs and the ROs work cooperatively towards this common goal. These roles and responsibilities facilitate the process for the Indian Program. Back-up Region and Sub-Lead Region(s) to Lead Region for the Indian Program share responsibilities.

In order to address the large number of individual media programs the Regional Indian Program Managers/Regional Indian Coordinators (RICs), National Program Manager's (NPM) representatives and AIEO staff members have been integrated within the National Indian Work Group (NIWG) network. The NIWG network is instrumental in identifying issues, presenting options and recommendations and developing consensus positions to present to HQs. NIWG members participate in regular conference calls and national meetings. Lead Region utilizes this routine communication flow to develop or resolve a Lead Region issue. The RIC and HQ members are responsible for Regional and headquarters contacts with the respective Office.

Communication is key to effectiveness. A number of methods have been established to facilitate an on-going dialogue between the Regions and HQs and within the ROs and HQ's Offices through meetings, conferences and conference telephone calls, usually on a bi-monthly basis.

The 7th Annual EPA Region 6 Tribal Environmental Summit

The 7th Annual EPA Region 6 Tribal Environmental Summit was held in Albuquerque, New Mexico, October 15-16, 2003. The summit took place at the Albuquerque Marriott Hotel. The event was sponsored and coordinated by the EPA Region 6 Inter-Tribal Environmental Council. A detailed conference summary will follow in our next Spring 2004 issue.

For more information, please contact Nancy John or Sheila Sevenstar at 918-458-5496.

A Decade of Tribal/EPA Partnerships

Tribes and EPA Celebrate 10 Years of GAP in November 2003
American Indian Environmental Office
Rodges Ankrah

EPA's General Assistance Program (GAP) was developed under the Indian Environmental General Assistance Program Act of 1992 in hopes to help Tribes establish environmental programs unique to specific environmental and cultural needs within Indian country. Over the past decade, Tribes throughout the U.S. have partnered with EPA through GAP to protect the environment in Indian country and have accomplished the following:

- Tribes have received help in building the capacity and programs needed to meet their individual needs
- Nearly 500 Tribes are developing environmental programs
- Tribes have closed open dumps and implemented waste management and reduction programs in many reservation lands.

There are over 565 federally recognized Tribes in the U.S., and each Tribe confronts unique environmental and human health issues. Compared with other cultures and groups in the U.S., Tribes face serious economic, environmental, and public health challenges. In order to combat some of these issues, EPA's GAP has provided millions of dollars each year to Tribes, and in 2003, allotted nearly $60 million through approximately 500 GAP grants. GAP funds have been used to identify baseline environmental problems and needs; develop appropriate environmental programs, ordinances, and public education and outreach efforts; ensure that Tribal governments are informed and able to participate in environmental decision-making; and promote communication and coordination between federal, state, local, and Tribal environmental officials. For more information regarding EPA's GAP program, contact the EPA American Indian Environmental Office at 202-564-0303 or www.epa.gov/indian.

The DUNS Is Upon Us

Office of Administration and Resource Management
Glen Langlois

WHEN: October 1, 2003 is a critical date that all Tribes along with States, Non-profit organizations, institutions of higher education and hospitals must prepare for. Individuals who personally receive assistance agreements from the Federal government are exempt from this requirement.

The Office of Management and Budget (OMB) requires all assistance agreement applications, new award and renewals including applications or plans under mandatory grant programs, submitted to any Federal agency or Department, as of October 1, 2003, include a Dun and Bradstreet Data Universal Numbering System (DUNS) number. The DUNS number requirement is in addition to other identification numbers required by statute or regulations, such as tax identification numbers. In other words ALL applications coming in from Tribes, Tribal consortia, and Tribal organizations MUST have a DUNS.

WHY: A DUNS number will be required whether the application is submitted in paper form or the government-wide electronic portal (Grants.gov). The reason for this is that the OMB has determined that there is a need for improved statistical reporting of all Federal assistance agreements (grants and cooperative agreements). Using the DUNS government-wide is to provide a better means of identifying and tracking entities receiving assistance award and their business relationships as well as validating addresses and points of contract information.

HOW: Organizations can receive a DUNS number in ONE DAY and at NO COST to the organization by calling the dedicated toll-free DUNS Number request line at 1-866-705-5711. There also is a website where an organization can obtain their DUNS number: http://dnb.com CAUTION! CAUTION! CAUTION! if you use the website and want the same ONE DAY turnaround time that is available through the toll-free line you will be charged a $40 fee, otherwise your number will be issued within 30 BUSINESS DAYS.

WHERE: Currently there is no special place for the DUNS number on the application document (SF-424). As a temporary measure until the new forms can be completed, the DUNS number may be entered on the current application document (SF-424) address block. The new revised version of the SF-424 will include a DUNS number filed. This new revised SF-424 should be available some time between October and December, 2003. You will be able to download the file once it is available at the following website: http://www.whitehouse.gov/omb/grants/sf424.pdf

More information on the announcement of the DUNS requirement can be found in the Federal Register/ Vol. 68, No. 124 pages 38402 to 38405, Friday, June 27, 2003 located at the following website: http://www.whitehouse.gov/omb/grants/grants_docs.html

Native Peoples Fisheries Section of American Fisheries Society Symposium, "Where's the fish? Traditional and Contemporary Indigenous Management of Wild Fish"

The Native Peoples Fisheries Section (NPFS) symposium was held in Quebec, Canada on August 11, 2003. The goal of the symposium was to compare and contrast traditional and historical indigenous fish management with contemporary and scientific methods worldwide to showcase both variety and diversity of geography and methodology. U.S. and Canadian biologists and managers from native, Tribal, or indigenous fisheries programs participated in the symposium. The focus of the discussion was to examine Tribal solutions to declining wild fish stocks and individual Tribal solutions and strategies.

For more information, please contact Mel Moon, NPFS President, Quileute Natural Resources Director, Quileute Indian Tribe, P.O. Box 187, LaPush, Washington 98350, 360-374-3133, 360-374-9250 (fax), melmoon@olypen.com or Karsten Boysen, Quileute Natural Resources Information and Education Officer, Quileute Indian Tribe, P.O. Box 187, LaPush, Washington 98350, 360-374-4361, 360-374-9250 (fax), karstenb@olypen.com.

OCFO Planning and Budget Update

Office of Chief Financial Officer
Chad James

While EPA waits for Congress to act on the Fiscal Year (FY) 2004 President's Budget Request, formulation of the FY 2005 request is well under way. The Agency's FY 2005 Budget was submitted to the Office of Management and Budget on September 8, 2003. In Washington, one of the hot topics is the anticipated federal budget deficit for FY 2003 (ending September 30). Although times are tight, the Administration and the Agency remain committed to forging a budget that will help strengthen core program performance, achieve clear environmental results, and empower our State and Tribal partners in environmental protection.

Budget 101: The FY 2005 Cycle

On any given day during the calendar year, EPA is typically working on budgets for three different fiscal years. The present time is no exception. Currently, the Agency is preparing for the closeout of FY 2003, working with Congress on their decisions for the FY 2004 appropriation, and, of course, formulating FY 2005. This simultaneous fiscal year budget work can be a source of confusion for many folks both inside and outside the federal resource community; a good way to build understanding is by isolating a fiscal year and walking through its cycle. There's no better example than the current formulation year, FY 2005.

Planning for FY 2005 began almost immediately after the FY 2004 budget request was sent to Congress in February 2003. During the spring and throughout the summer, EPA's planning and budget community and senior management worked to determine budget priorities, while also revising its strategic plan (more on that later). The Agency's FY 2005 budget was submitted to OMB on September 8, 2003. Over the next few months, OMB will review the request and give a Passback (OMB's decisions) to the Agency (most likely in late November or early December). EPA will have three days to appeal the OMB Passback. Appeals will be granted or denied rather quickly and the Agency will use these decisions to build a final FY 2005 President's Budget request for submission to Congress in February 2004.

So what happens after the President's FY 2005 Budget goes to Capitol Hill? First, there are budget hearings with EPA's authorizing and appropriations committees. Based on the request and these hearings, Congress will determine a funding level for the Agency and pass a bill. Theoretically, this appropriation would be passed by October 1, 2004 (the first day of FY 2005); however a more likely scenario is that the Agency will operate under a series of Continuing Resolutions (CRs) until Congress and the Administration can agree on appropriated funding levels. A CR will appropriate short term funding to EPA, so it can continue operations until a bill is passed. Once EPA receives its appropriation, the Agency will then develop the FY 2005 Operating Plan. The Operating Plan takes into account the changes Congress made to the President's Budget and makes the necessary adjustments, so all the programs and offices can receive the funding they need. Upon completion, the Operating Plan is submitted to Congress. Around August 2005, EPA will be preparing for the closeout of FY 2005, which will end on September 30, 2005.

Throughout the FY 2005 cycle, "budgeteers" will also work on the FY 2004 Operating Plan and Closeout, as well as FY 2006 formulation. Things can get pretty complex, when the Agency finds itself dealing with an Operating Plan for one year and a President's Budget for another year at the same time, but somehow EPA always manages to meet its deadlines.

EPA's New Strategic Plan

The Agency is presently in the home stretch of finalizing its 2003 Strategic Plan. As you all know, throughout the process, EPA actively sought and received very useful input from Tribes. One of the positive developments in the new Plan is that a number of strategic targets exist which identify specific performance commitments relating to Indian Country.

Possibly, the most noticeable change in the new Strategic Plan would be the switch from a ten to a five goal structure. The five new goals are titled:

- Goal 1: Clean Air and Global Climate Change
- Goal 2: Clean and Safe Water
- Goal 3: Land Restoration and Preservation
- Goal 4: Healthy Communities and Ecosystems
- Goal 5: Compliance and Environmental Stewardship

A significant aspect of this goal restructuring relates to the Agency's desire to highlight an integrated approach in achieving a human health protection and a healthy environment. All of EPA's programs work toward the singular goal of environmental strength, so this approach only makes sense.

So, where do the Agency's Tribal programs fit into this new architecture? Goal 5/Objective 3 is titled "Build Tribal Capacity." It is against this Objective that EPA measures its progress in collecting Tribal environmental information and developing environmental programs in Indian country. From a budget perspective, the "Build Tribal Capacity" objective houses the resources for the American Indian Environmental Office and the Tribal General Assistance Program grants. Despite the fact that this is the only Objective with "Tribal" in the title, Tribal specific resources and annual performance measures can be found throughout the FY 2005 budget under the new five goal structure. For example, the Alaska Native Villages grants are housed under the "Protect Water Quality" objective (Goal 2/ Objective 2) and the Agency tracks annual progress in Tribal hazardous waste management under the "Manage Hazardous Waste and Petroleum Products Properly" objective (Goal 3/ Objective 2).

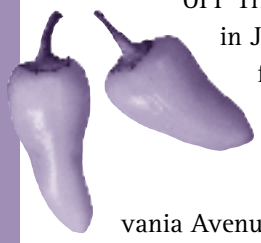
Tying it all Together

At EPA, it is not uncommon for the budget and the strategic plan to be mentioned in the same sentence ... and that's the point. Planning and budgeting are so inter-related that the Agency has worked to make them inseparable. This is reflected not only in the documents, but also in the internal processes and management information systems. You've gotta plan for the budget and budget for the plan!

EPA Office of Pesticide Programs Completes 2003 Tribal Grant Award Cycle

Office of Pesticide Programs
Karen Rudek

Each year since 1997, EPA's Office of Pesticide Programs has awarded approximately $445,500 to Tribes across the country to support pesticide water quality and special project work. We congratulate the following award recipients for the 2003 fiscal cycle, and encourage all Tribes to continue their innovative and important environmental protection efforts. We expect to issue a new request for proposals under the OPP Tribal grant program in January 2004. For further information contact Karen Rudek, EPA, 1200 Pennsylvania Avenue NW (7506C0), Washington, DC 20460, 703-305-6005, rudek.karen@epa.gov.



Tribe Name: Bad River Band of Chippewa
Awarded: $49,433

For: Assessment of Chemical Noxious Weed Control. Since 1999, the Bad River Natural resources has, with Council approval, been spraying noxious invasive vegetation (Purple Loosestrife) with a 2% mixture of the herbicide Rodeo. The increased use of this herbicide has led to concerns about the potential impacts it may be having on the wetlands complex where Tribal members engage in subsistence hunting, fishing and gathering. This proposal will fund an assessment of those impacts, allow a determination as to whether current control methods create opportunities for the invasion of other noxious weeds, and create public awareness programs including information on best management practices and alternative weed control methods.

Tribe Name: Chickasaw
Awarded: $49,750

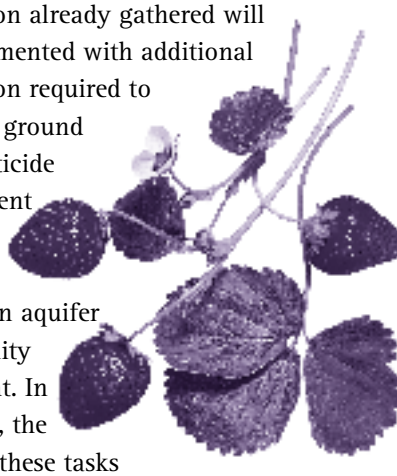
For: Assessment of Cultural Exposures to Pesticides. The project will assess pesticide accumulation in two different types of resources used to supplement food in the geographic region. It will initiate and assessment of fish in Lake Texoma and it will identify plants and related resources that are culturally significant and determine whether those resources are with pesticides. The project will also develop education and outreach materials that will be used to educate communities on the risks of pesticide contamination in local resources.

Tribe Name: Eastern Band of Cherokee
Awarded: $30,110

For: Pesticide Screening of the town of Kituwah and the Cooper's Creek Properties. Under this project, the Tribe will sample groundwater and soil from each of the newly re-acquired properties. The screening will produce an assessment of the effects of past use of pesticides on these lands and enable the Tribal Environmental Office to provide better direction to the Tribe as to the management of these lands.

Tribe Name: Fond du Lac
Awarded: $33,957

For: Pesticide Management Plan Development and Ground Water Vulnerability Assessment. This is the second phase of the pesticide application inventory funded by this grant program in FY 2002. In this phase of the project, information already gathered will be supplemented with additional information required to develop a ground water pesticide management plan, and to conduct an aquifer vulnerability assessment. In the future, the results of these tasks will be used to develop a Tribal FIFRA Program for the Reservation.



Tribe Name: Houlton Band of Maliseet
Awarded: $15,072

For: Assessing Wells on Trust Lands for Agricultural Pesticide Contamination. This project will investigate the possibility that pesticides from agricultural applications on and around Tribal lands may be contaminating Tribal drinking water and pose risks to the health of Tribal members. Project goals include development of a quality assurance project plan (including sampling and analysis protocols) to assess Tribal well water for pesticide contamination, collecting verifiable data regarding this possible contamination, and data evaluation to determine if contaminants reach or exceed critical levels beyond which health effects are possible.

Tribe Name: Keeweenaw Bay Indian Community
Awarded: $9,300

For: Continuation of Surface Water Monitoring Efforts. This project will address possible water quality issues resulting from past and present forestry herbicide applications on the reservation. It will include herbicide sampling in conjunction with year three of an ongoing surface water quality monitoring program that has been funded by the Region.

Tribe Name: Poarch Band
Awarded: $50,000

For: Pesticide Assessment, Sampling and Analysis. This funding supports a written study of the historic use of pesticides on the Poarch Band of Creek Indians Reservation, identification of geographic areas where those pesticides may pose a threat to health and safety, development of sampling and quality assurance plans and a final report which will pinpoint possible problems with residual pesticides in ground water, soil or surface water. The assessment will provide a baseline for future actions.

Tribe Name: Shoalwater Bay Indian Tribe
Awarded: $48,607

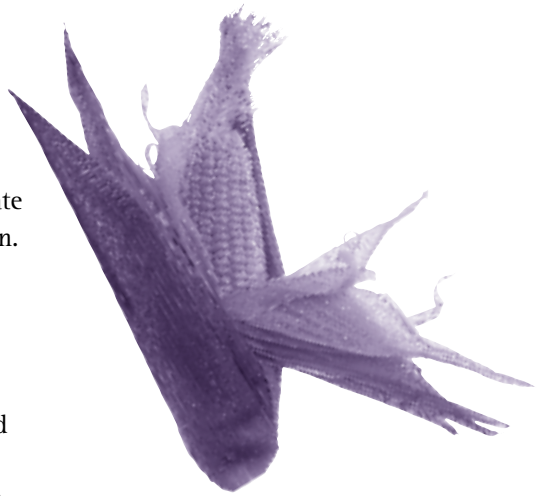
For: Carbaryl Study. The study will evaluate the minimum water surface application rate needed to achieve desired kill rates in ghost shrimp and the rate of loss of the pesticide due to tidal flux. It will determine whether a subsurface application will achieve the same kill rates using lower amounts of Carbaryl and whether this application will reduce the loss of pesticide due to tidal flux.

Tribe Name: Umatilla (Confederated Tribes)
Awarded: $50,000

For: Pesticide and Nutrient Fate on the Umatilla River Flood Plain. These funds will support a site-specific monitoring program to assess the potential influence of increased pesticide and nutrient loading associated with proposed ground water supplementation programs. Monitoring will occur in a side channel of the Umatilla river that flows perennially, but is fed only by ground water via seeps from an adjacent agricultural field and hyporheic ground water inputs as water moves from the main river channel, through a gravel bar, and into the side channel.

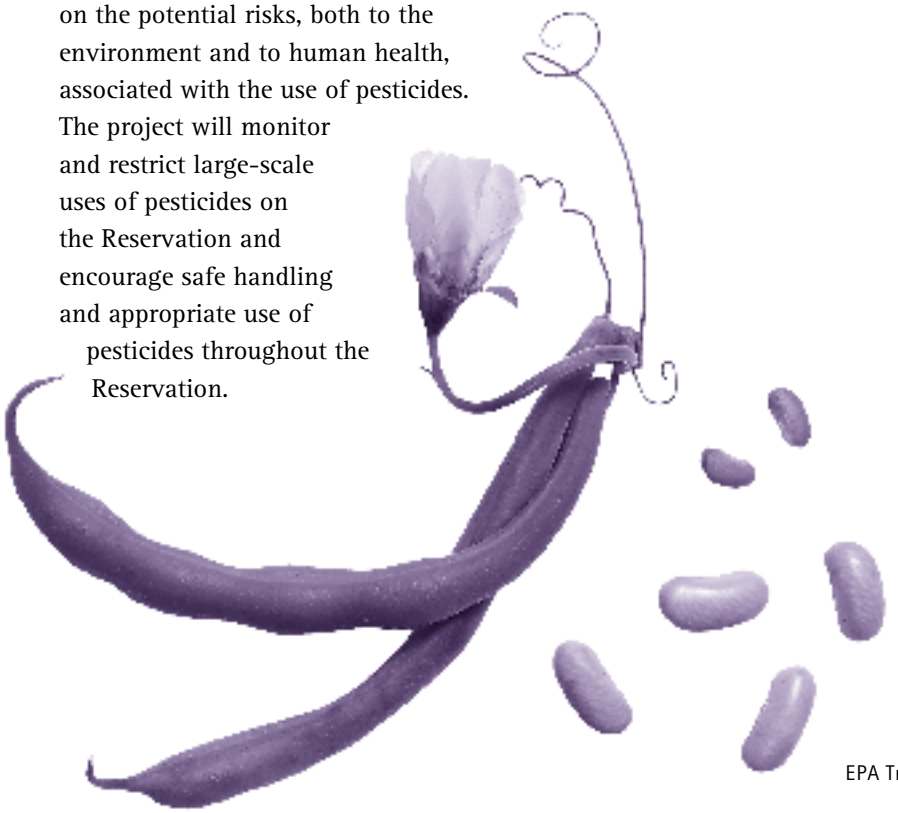
Tribe Name: White Mountain Apache
Awarded: $50,000

For: Community Education, Monitoring and Regulation of Pesticides on the Reservation, with Special Concern for Surface Water Protection. These funds will be used to educate individual Tribal members as well as other professionals living and/or working on the Reservation on the potential risks, both to the environment and to human health, associated with the use of pesticides. The project will monitor and restrict large-scale uses of pesticides on the Reservation and encourage safe handling and appropriate use of pesticides throughout the Reservation.



Tribe Name: Ysleta Pueblo
Awarded: $49,998

For: Developing Capacity; Determining Existing Exposure Health Risks. This project will help to develop capacity for Ysleta del Sur Pueblo to identify and address pesticide concerns and to determine whether Tribal health risks may exist due to potential pesticide exposure pathways. Project results will assist the Tribe in making informed decisions about the use of pesticides on the Reservation, and empower the community by building knowledge and identifying pesticide issues that must be addressed.



OECA Publishes Proposed 2005-2007 National Enforcement and Compliance Assurance Priorities in Federal Register

Office of Enforcement and Compliance Assurance
Jonathan Binder

On December 10, 2003, EPA's Office of Enforcement and Compliance Assurance (OECA) published a list of proposed 2005-2007 National Enforcement and Compliance Assurance Priorities in the Federal Register to solicit comments from the public. The following list of preliminary priorities is divided into current priorities and suggested new areas. The list includes a proposed Tribal priority to address significant human health and environmental problems associated with drinking water and waste management. For the potential Tribal priority, the objective would be to ensure compliance within targeted areas and to address adjacent non-complying facilities impacting Indian country and Tribal areas. In considering the list, Tribes should keep in mind that OECA is committed to identifying a very limited number of national priorities to retain flexibility to address emerging problems or issues as they arise.

Current National Priorities

- Safe Drinking Water Act - Microbials Plus
- Clean Water Act/Wet Weather
- Clean Air Act/New Source Review/ Prevention of Significant Deterioration
- Clean Air Act/Air Toxics

Suggested New National Priorities

- Tribal B Address significant human health and environmental problems associated with drinking water and waste management
- Resource Conservation and Recovery Act/Underground Storage Tanks
- Asbestos Hazard Emergency Response Act/Asbestos in Schools
- Financial Responsibility B Strengthen compliance with financial responsibility requirements found under various environmental laws
- Ports of Entry Warehousing Facilities B Reduce illegal handling or disposal of hazardous waste
- Auto Salvaging Sector B Address significant potential of pollutants such as waste oils, gas, mercury, polychlorinated biphenyls, and lead
- Resource Conservation and Recovery Act - Mineral Processing Facilities
- Federal Facilities B Improve and better maintain compliance at Federal Facilities through more effective implementation of environmental management systems.
- Miscellaneous Plastics Products Manufacturing Sector B Reduce public exposure to hazardous wastes and pollutants released to the land, air, and water
- Environmental Justice B Ensure that no racial, ethnic or socioeconomic group bears a disproportionate share of negative environmental consequences resulting from industrial, municipal, and commercial activities; or from the execution of federal, state, local and Tribal programs and policies
- Fuels Management B Ensure compliance to minimize releases of hazardous pollutants at liquid petroleum and natural gas handling facilities
- Significant Noncompliance Oversight B Ensure proper management of the enforcement and compliance programs under the Clean Air Act, the Clean Water Act-National Pollutant Discharge Elimination System, and the Resource Conservation and Recovery Act.

Prior to publishing the Federal Register Notice, OECA asked each EPA Regional Office to engage its Tribal and State regulatory partners in discussions of existing and potential national program priorities. OECA received comments back from all EPA Regional Offices and six states. OECA provided copies of the Federal Register Notice to EPA's Tribal Operation Committee in December and invited the officers of the Tribal Caucus or their representatives to a January 21, 2004 national priorities meeting. EPA's American Indian Environmental Office sent a letter to each Tribal leader requesting they review and comment on the potential priorities. Finally, OECA distributed this list to the Tribal Association of Solid Waste and Emergency Response, the National Tribal Environmental Council, and the National Congress of American Indians.

After receiving and analyzing comments from Tribes, States, and the public, the Assistant Administrator for OECA will select the National Program Priorities for 2005-2007 using the following criteria: (1) significant environmental benefit; (2) serious patterns of noncompliance; and (3) areas or programs are better addressed through EPA=s federal capability in enforcement or compliance assistance. In February 2004, OECA will issue a draft work planning guidance on the selected national priorities to Regional Offices, Tribes, and States for final review.

Tribes and Tribal members interested in obtaining further information should contact Robert Tolpa, OECA Planning and Analysis Branch Chief, at 202-564B2337. Greater detail and background information regarding the priorities are available at http://cascade.epa.gov/RightSite/dk_public_collection_detail.htm?ObjectType=dk_docket_collection&tcid=OECA-2003-0154&tShowList=items&tAction=view.

EPA Web Sites and Hot Lines

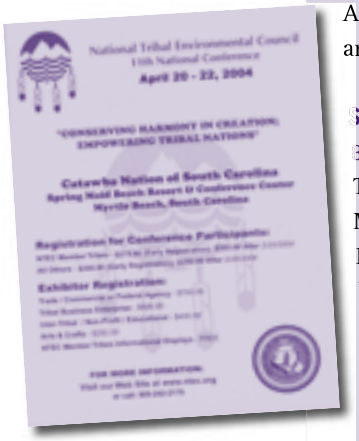
- Environmental Protection Agency (EPA), www.epa.gov
- American Indian Environmental Office, www.epa.gov/indian
- Clean Water Indian Program, www.epa.gov/owm/mab/indian/index.htm
- Office of Air and Radiation (OAR), www.epa.gov/oar
- Office of Air and Radiation (OAR) Tribal Program, www.epa.gov/oar/Tribal
- Office of Enforcement and Compliance Assurance (OECA), www.epa.gov/compliance
- Office of Enforcement and Compliance Assurance (OECA) Tribal Program, www.epa.gov/compliance/planning/Tribal/index.html
- Office of Environmental Information (OEI), www.epa.gov/oei
- Office of Environmental Justice (EJ), www.epa.gov/compliance/environmentaljustice
- Office of Pesticide Programs (OPP), www.epa.gov/pesticides
- Office of Pollution Prevention and Toxics (OPPT), www.epa.gov/opptintr
- Office of Research and Development (ORD), www.epa.gov/science
- Office of Solid Waste and Emergency Response (OSWER), www.epa.gov/oswer
- Office of Ground Water and Drinking Water (OGWDW), www.epa.gov/safewater
- Office of Ground Water and Drinking Water (OGWDW), www.epa.gov/safewater/Tribal.html
- Science and American Indians, www.epa.gov/osp/Tribes

- EPA Region 1, www.epa.gov/region01/govt/Tribes
- EPA Region 2, www.epa.gov/Region2/nations/intro.htm
- EPA Region 4, www.epa.gov/region4/ead/indian/index.htm
- EPA Region 5, www.epa.gov/Region5/Tribes/index.htm
- EPA Region 6, www.epa.gov/region6/6xa/Tribal.htm
- EPA Region 7, www.epa.gov/Region7/government_Tribal/index.htm
- EPA Region 8, www.epa.gov/region8/Tribes/
- EPA Region 9, www.epa.gov/Region9/cross_pr/indian/index.html
- EPA Region 10, http://yosemite.epa.gov/r10/Tribal.NSF

- Asbestos Ombudsman Hotline, 1-800-368-5888
- EPCRA Hotline, 1-800-535-0202
- Lead Hotline, 1-800-532-3394
- National Pesticide Telecommunication (NPTN) Hotline, www.ace.orst.edu/info/nptn,1-800-858-7378
- TSCA Hotline, 202-554-1404

Other Tribal-specific Web Sites and Hot Lines

- American Indian Higher Education Consortia (AIHEC), Tribal Colleges, www.aihec.org/college.htm
- American Indian Nations Cultural Information, www.nativeculture.com
- American Indian Science and Engineering Society (AISES), www.aises.org
- Indian Health Service (IHS), www.ihs.gov
- Institute for Tribal Environmental Professionals (ITEP), www4.nau.edu/itep/intro.html
- InterTribal Council of Arizona (ITCA), www.itcaonline.com
- The Great Lakes Indian Fish and Wildlife Commission, www.glifwc.org
- National Congress of American Indians (NCAI), www.ncai.org
- National Museum of the American Indian, www.nmai.si.edu
- National Tribal Environmental Council (NTEC), www.ntec.org
- National Tribal Environmental Research Institute, www.nteri.net
- Tribal Association of Solid Waste and Emergency Response, www.taswer.org
- U.S. Department of Health and Human Services, Administration for Native Americans, www.acf.dhhs.gov/programs/ana


National Tribal Environmental Council
11th National Conference
April 20 - 22, 2004
"CONSERVING HARMONY IN CREATION; EMPOWERING TRIBAL NATIONS"
Catawba Nation of South Carolina
Spring Hold Beach Resort & Conference Center
Myrtle Beach, South Carolina
Registration for Conference Participants:
Exhibitor Registration:
FOR MORE INFORMATION:

Calendar of Events

February 2004

23-25
NCAI Executive Council Winter Session
NCAI
Wyndham Hotel
Washington, DC
202-466-7767, www.ncai.org

March 2004

10-12
Tribal Pesticide Program Council National Meeting
Washington, DC
Lillian Wilmore, 617-232-5742, naecology@aol.com

April 2004

19-22
NTEC 2004 Conference
National Tribal Environmental Council, hosted by the Catawba Tribe of South Carolina
SpringMaid Resort and Conference Center
Myrtle Beach, South Carolina
www.ntec.org

May 2004

3-7
Integrated Monitoring and Assessment for Effective Water Quality Management
EPA Office of Research and Development, Council of State Governments, and the National Oceanic and Atmospheric Administration
Hotel Viking
Newport, Rhode Island
Brian Melzian, 401-782-3188, melzian.brian@epa.gov
Amanda Hays, 859-244-8236, amays@csg.org

September 2004

8-10
Tribal Pesticide Program Council National Meeting
Hosted by Shoalwater Bay Indian Tribe, Washington
Lillian Wilmore, 617-232-5742, naecology@aol.com

United States
Environmental Protection Agency
(7408m)
Washington, DC 20460

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